

/5 cont./

101 Sāadians. Earlier texts, that of Ibn Khaldūn, for example, give
114 Saksīwa, where the vocalization of the second syllable is that of
129 analogous names, such as Damsīra, Ganfīsa, Gadmīwa (1).

1. This is the orthography that de Slane gives, on the evidence of mss. that he used, for example, ms. 1521 of the Bibliothèque nationale, pp. 235 v, 1-2 de fine sq. A genealogical tree, which the translator has not kept in his edition (p. 365, l. 16 sq.), even gives an eponym Saksīw b. Ganfīs b. Maḥmūd. The ms. of Rabat, D. 14, 98, Uns al-faḥr by Ibn Qunfūdh, likewise knew Saksīwa, p. 41 a, l. 2 sq. On the other hand, al-Baydhāq wrote Saksāwa, E. Lévi-Provençal, Documents inédits d'histoire almohade /Unpublished documents of Almohade history/, 1928, p. 65, and Arabic text, p. 43.

101 But the Berbère /Berber/ system seems too far removed, at least
at present, from the long vowel for us to be able to base anything
on it. In any case, one now hears only Seksawa, doublet of the
name used by the ones concerned themselves: Iseksawan (with
sometimes redoubling of the sibilant). The sing. Iseksiwi seems
reworked from the Arabic. One would rather expect an Aseksu,
as one elsewhere has an Admu, an Aglawu. But, not only is this
ethnic not understood by members of the group studied here, but
it exists paradoxically elsewhere as a Jewish name, and even
Oranie /Oran/ Jewish (2).

2. Information furnished by L. Brunot, who very kindly consulted some Moroccan rabbis for me. Cf. also I. Hamet, Les Juifs dans le Nord de l'Afrique /The Jews in the North of Africa/, 1928, p. 57; dictionary by M. Eisenbeth, Les Juifs de l'Afrique du Nord.

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/footnote 2 continued/ 1936, p. 174. In the Mellah of Imintanout, an Israelite family from Ilutjan bore in Seksawa the curious name of Elkeslasi, pronounced Lkslasi, a name close to that of the place called Amskslan in Mtugga-Ud Bessebâc.

What is remarkable is not that Jews bear the same name as a Berbère /Berber/ group. It is, on the one hand, that the singular ethnic had been lost by the ones concerned themselves, and, on the other hand, and above all, that the name of the Seksawa is isolated in the anthroponymy of Maghrebi groups (3).

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3. One should compare it, for example, to the veritable cluster of similar names that the ensemble furnishes: Mtugga, a. Atig, Tigguga, Tuggana, etc. Among the old names of the Mussulman Occident, however, one finds Sakâsik, Saksâkf. A legendary ancestor of the Berbères was so named. Ibn H'azm, Jamhara, Lévi-Provençal ed., p. 462, l. 21. It is again found designated as an ancestor of the Howwâra by Ibn Khaldûn, tr. Histoire des Berbères, 1925, t. I, pp. 170, 185, 273. Cf. ms. Bibliothèque Nationale, 1520, p. 108 v, l. 11. That would point toward /this footnote is continued on the next page in the original source/ a root S. K., with redoubling. But one can also think of a root S. W. where the redoubling would have differentiated the second element. This hypothesis would draw, not likelihood, but some support from a coincidence of sounds: that of Iseksawan and of Ichefchawan, that is to say, Chîchâwa. One knows that it is a matter of the same water-course, or of the same system of irrigation, the one below the other, and that the extension of

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/footnote 3 continued/ the Seksawa domain to the plain during the Middle Ages and up to Mérinide times offers a certain probability.

A. Basset wishes to indicate to me that it is not a linguistic impossibility that these two names, Iseksawan and (I)chefchawan, go back to a two-letter root with complete redoubling, and respective passage from w to k and from w to f. But he specifies that it would be necessary to be able to justify the presence of these different treatments in the desired word and at the desired place.

In a domain indeed far away, but one in which the curious linguistic changes /Fr. chassés-croisés/ of North Africa do not make the reminder so improbable, I mean among the Touareg /Tuareg/, one turns up, among the toponyms used in the sense of "valley, system of water points," a whole scale of forms where the imagination could find intermediate stages between Seksawa and Chîchâwa: Sessau, Aseksam, Segga, Ichaffen, Chawa. P. de Foucauld, Dictionnaire abrégé touareg-français des noms propres /Abridged French-Tuareg dictionary of proper names/, A. Basset ed., 1940, pp. 18, 19, 239, 244, 251. Let us also note the existence of Chuchawa in the Ouarsenis, and also, of course, the existence of a Chefchawen in the Jebâla.

For E. Laoust, Seksawa could amount to the factitive of a root k. s., "to graze." But "no document, outside of the examination of the form of the ethnic, bears out such a conclusion." op. laud., p. 148. I shall point out, nevertheless, the existence of residual populations in the same domain whose name could go back to this same root: Ikessan, a. Tiksit, a. Gasa even. One thinks also of the Wâd

/5 cont./

/footnote 3 continued/ Siksî of the Moyen /Middle/ Atlas.

M. L. Galand writes me: "In sg. Iseksiwi, pl. Iseksawan, the opposition of the singular to the plural belongs to a type known in Berbère /Berber/; the w would appear here as a radical element. In sg. Agdem (also Igedm), pl. Igedmiwen, is one dealing with a radical w that would have been lost in the singular, as in ameksa / imeksawan (cf. also inebgi / inebgiwen)? This hypothesis finds no support in the present forms of the name; Agdem, without a final vowel, corresponds poorly to the preceding examples, and particularly for the feminine, generally more conservative. I was given only Tagdemt as opposed to tameksawt (cf. also tinebgiwt). While waiting for more extensive research, I hesitate to see, therefore, in the w of Igedmiwen anything other than a suffixal element.

"Consequently the difference of structure that separates Iseksawan from Igedmiwen renders suspect the too-neat parallelism of the Arabic forms Saksîwa and Gadmîwa. The plural of the names of tribes is used more than the singular; it is what a foreigner learns first; have the Arabs felt that in Gadmîwa they were including a suffix and that in Saksîwa, perhaps under the influence of Gadmîwa, Damsîra, etc., they were mistreating the Berbère /Berber/ vocalism that they had respected in Saksîwa? One could question it."

/6/

First Co-ordinates of the Country

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A certain country, that is what in the end the name of Seksawa suggests, as much by the etymology as in the common usage. The essential thing for this country is and has always been, according to a mountain law that is read, for example, in the historical compartmentalization of the Pyrenees, the basin of

/24 cont./

137 One feels that one is in a "vale of Arcadia" here. Should this comparison be not very exact, especially in these highlands solemnly shaded by the walnut tree, it nevertheless says something to the imagination and at least suggests a justifiable notion to it: that of the profound personality of these mountain recesses and of their immemorial charm.

A Constructed Landscape (2)

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2. J. Célérier, "Le paysage rural au Maroc /The rural landscape in Morocco/," Hesp., 1943, pp. 152 sq., a study full of the most penetrating notations, with regard to which our debt is great.

But it is the domain of vegetable groupings for which man is the major agent. A degree further in his action and we are at the cultivated plants, with their adventive or subspontaneous margins, which we have studied elsewhere (3).

3. In connection with a "Glossaire notarial arabo-chleuh du Deren (XVIII^e century)," R. afr., 1950, pp. 357 sq., we have studied in detail the biogeographical cadre of the field, the cultivated plants, and have given a list of nearly forty subspontaneous species which human alimentation uses accessorially (pp. 379 and 380).

Truthfully, this consideration of man, of his movements, of his foods must never be neglected. Many of the features, in this little development on the plant covering, led to man.

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171 First, the Mediterranean cachet of this flora; the opposition between the depths of valleys and their higher walls or the summits; a tiering which, in broad strokes, explains, if it does not bring it about entirely, a pastoral life of the Pyrenean type.

/27 cont./

241 distribution of the water for irrigation are possible, and only through that will the water and earth arise simultaneously for tillage. The geographer is quite familiar with this kind of cultivation, classic examples of which can be found in the Orient as well as in Europe. It always evokes an idea of rustic virtues, courage, and work. Incessant labor to combat the descent of the soil, the fall of the water, slow remountings, basket on the shoulder, attentive management with the hoe and the "small tools," art of walls in dry stone: all that on hardly more space than a flower pot or than a flower box at the window of a building! The surprise here is that so much trouble leads only to a fistful of barley or maize. To the dismay of the economist, these "large-scale crops" paradoxically clash with such a minute, such a costly cadre. Is it not economic subversion?

Let us descend farther. The street, it is the torrent. In the best cases, its walls are tiered in successive level stretches, in natural terraces. There are also plains and suspended basins, sometimes quite wide: at Sidi Amer u H'addô, at Tuz'ziunt. Elsewhere also, more poorly. But sometimes the bottom of the corridor amounts to the actual bed of the river. And then one finds that this bed itself is not neglected. Stone walls are erected perpendicular to the current. Comes the flood: there where they do not hold, all is carried away. Thus at Sekrat. Elsewhere, trenching operations try to take advantage of a general declivity, without worrying about the storm that will take away everything. Thus at Imt'ddan.

Infinite trouble, almost gratuitous work, total want of foresight, we would say. A whole torrent-bed agriculture builds and rebuilds defenses, destroyed several times each year. The stone is so familiar: it is displaced, it is replaced with such airiness! Cyclopean propensity, waste of human work. And the kindness of the water is believed in with a blind faith. One will thus make barley and maize with stone and water. The river becomes larger, pulls out everything. But sometimes one will have a windfall of a harvest: barley breaking through on the "shingle," a veritable vegetable explosion. And the montagnard braving the

/31 cont./

342 house with asqqif appears in a. Musa, where it constitutes about
184 a third of the types. In the high valley it is general. The opening of all the verandas gives the same orientation. There is nothing more striking than these storied and architected villages, with long parallel bays piercing the façade: Fensu appears so to one who descends from Uzaga.

621 All that is black and sad. It is built in schistose stone, with longitudinal fractures, with glossy planes, and joined with slimy mud. The roof, whose flaky composition has been described by R. Montagne for the Aghbar, J. Dresch for the Tubkal, is basically only soil. It makes a causeway. The houses, accumulating in a joined system where each new autonomous participant lives in its own stock of rooms, willingly arrange themselves in quarters, separated by lanes or tunnels. A good example of the genre at Igerssaffen, where the mule track following the valley has to borrow a covered passage.

355 These dwellings are locked well. The doors, conforming to
414 the Homeric type, do not turn on hinges fitted into a firm upright: but their axis, itself mobile, turns in sockets. It is from within that the lock functions. System with a complicated finger-
• (17) ering, consisting of wooden or iron pins. A hole for the hand permits opening from the outside. Without wishing to make a comparison, one might recall this anecdote of the Apulian African on the misadventure of a thief: he stuck in his hand, but an old woman, lying in wait behind the door, shoved an awl in his wrist in such a way that, in order not to be caught, he was obliged to cut off his arm.

The Bourgs

361 The form of the habitat is that of the "hamlet," lmud'a, with the houses joined together, opposing to the external menace a perimeter without a break. The agglomeration is sometimes important: thus, the /32/ a. Mh'nd (600 inhabitants). It may also consist of only an "écart" /separate part/ of two or three houses. Thus at Ighilan, facing Buteghradín: a large portion of slope is occupied by a series of small quarters, each gathered together

/34 cont./

592 Is it a matter of the Atlas, of its "patriarchal families" and
616 of its leff-s? Not at all, but of the Basques (1)

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1. J. Caro Baroja, Los pueblos de España /The pueblos of Spain/, Barcelona, 1946, p. 274. Cf. in Ann. hist. soc., 1951, pp. 497 sq., the review of this specialist's works. In Derecho consuetudinario y economía popular de España /Consuetudinary law and popular economy of Spain/, Barcelona, 1902, t. II, J. Costa presents a remarkable study on the different family types in the N. of Spain, pp. 234 sq. This will not be the only time that we shall refer to Spanish documentation, not with the aim of comparison, but of geographical analogy.

128 and of the duality that put them in opposition as onacinos and gamboinos in the fourteenth and fifteenth centuries. But let us leave this comparison, which is only a petty amusement. Let us interest ourselves in divining from facts and simple images the connections of the individual and the family in this part of the Atlas. Let us acknowledge immediately that this chapter will not be conclusive: first, because at this place the goal is only to describe, without prejudging the economic and juridical analyses which alone permit prolonging the description in interpreting it. And also, and especially, because in the present state of the psychological studies on the Maghreb, one could claim here only to furnish some material for the investigations to come.

595 The Seksawa are monogamous. Presently among them there is not a hundredth of the individuals who have two or three spouses. Moreover, it is a matter of individuals out of the ordinary. A study pushed further might reveal among taqbilt-s instructive diversities concerning the role of polygamy, concerning nuptiality, and concerning the proportion of divorces. By and large the strength of the matrimonial bond asserts itself proportionately as /35/ one goes up the valley. But a contrast vigorous in other ways sets the

But a

595 /35 cont./ contrast vigorous in other ways sets
 184 Seksawa as a bloc, as well as in addition all their neighbors of
 171 the Dir of Imintanout, against the Arab tribes of the plain, such
 589 as the Ud Bessebâc, essentially polygamous. A recent study has
 even revealed an incontestable fact in these mountains: the
 frequency of celibacy. In relation to married people, and in-
 cluding nubile adolescents, widows, and divorced persons, there
 would be a third of the men single, half of the women. Nothing
 can be established from such figures, lacking a specialized in-
 vestigation. But they should at least be noted here for the lie
 that they directly give to certain preconceived ideas.

562 All the Seksawa women have the storeroom keys. They de-
 343 mand them. Whoever refuses them to them sees them abandon
 712 the conjugal life, which is ridiculous and costly for the frustrated
 593 husband. Public opinion attributes this trait to a character prone
 to domestic disputes, but which they know how to make up for by
 other talents: that of sorceress, for example, or of clever cham-
 pion at trials, or again, as the adage says, of nocturnal beauty
 capable of furnishing during the day the work of a beast of burden!
 Finally, she is a Tasseksiwit: and that suffices. The tribe com-
 184 ments, with an amused and secretly admiring indulgence, on
 343 these traits, which, it thinks, differentiate it from all its neighbors:
 712 the Gedmiwa or those beyond the Tichka. For example, the Idaw
 829 Kais or the a. Tkssit, among whom, it is said, ten to fifteen
 foyers can live together without quarreling, or these Idaw
 Mh'mud where the masculine institution of the agadir /collective
 storehouse/ flourishes (1).

1. There is only one agadir operating among the Seksawa, that of Ikis. Remains of a ruined agadir at Iguntar. Cf. Lieut. P. Dupas, "Note sur les magasins collectifs du Haut Atlas occidental /Note on the collective storehouses of the western High Atlas/, " Hesp., 1929, pp. 303 sq. ^A
 The wealth of the I. Mh'mud in agadir-s contrasts with the quasi-absence of them among the Seksawa, where there were some perhaps, if one

A, [See 3: Dupas, this file--Analyst]
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/footnote 1 continued/ believes the toponymy, but in an extremely old epoch. What is therefore characteristic of the Seksawa is not the existence, but the nonexistence of the agadir, at least for the modern epoch.

[562] In the agadir, in fact, it is the man exclusively who holds the key to the accommodations for grain; and again his managership is exercised in a communal harmony, which accentuates its extra-domestic character. Elsewhere, in Nfifa, in Mez'ud'a, a fortiori among the Ud Besseba^C Arabs, it is "the family head" who administers the reserves. The latter, moreover, are often ensilaged outside of the dwelling. This family head is generally the elder of the house. Periodically he distributes to the couples living together in the tigemmi provisions that are individually prepared in most cases.

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In Mtugga it is estimated that half of the families practiced, before the Protectorate, a simultaneous community /36/ of habitat and of cuisine. But an evolution has forced its way through. If the elder still holds the key to the reserves, only a tenth of the families remain faithful to the single table. On the other hand, the large house has fallen into disfavor. The foyers swarm all around and build for their benefit a lodging that will be their own. Finally, in the neighboring tribes, such as the I. Buzia, the father abandons the communal house to the sons, builds apart, and then often takes a young wife. This division of regime and of habitat therefore sets in motion some complex phenomena: relations of good form between the old man and his adult sons, the intervention of the "démon de midi" /demon of the prime of life/, which here breaks up the common table and moreover orients the aging man toward secret affiliations.

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There is not necessarily, as one sees, coincidence between the administration of the reserves and the distribution of food. In the plains-tribes, in fact, if the former duty falls most often to a single male, the latter is done foyer by foyer, that is to say, by conjugal families in the narrow sense. There still exist some

/70 cont./

173 which he had to sacrifice for his guest. But he had an only son,
166 who, exhausted by hunger, dared to strip a drumstick from the
619 roast. The angry guest then threw the child to the ground. The
father killed the soldier and fled to the Atlas.

General folkloric theme? Undoubtedly (1).

• (171)

1. We again find the same legend in Kabylie /Kabylia/, and still in order to explain the group displacements, C. Devaux, Les Kébâties du Djerdjara /The Kabyle of the Djurdjura/, 1859, p. 334.

But also a trace of the driving back suffered by the populations of the Haouz: the Dukkâla, up to the sixteenth century, descended to the outskirts of Marrakech. Let us record this legend for what it is worth. We also again find some Dukkâla in Gund'afa country.

Another legend, but one which refers to the South this time. It deals with a small group vassalized by the a. Lh'sen, the far-away Iguntar. Their traditional origin, Tagenturt of the a. Widjdjas of the Sous, is confirmed by the entanglement of the property of their various ikhs-s in sectors marking the successive steps of an old immigration. The legendary ancestor, Mh'and, had two sons, one Ah'chmud, from whom the present families of Tagenza descend, and another, Mh'and, whose offspring populated not only a part of Tannammert, in present-day Iguntar, but Tinmrutin, Tagadirt, Wallagô, Tadjdir in Demsira, /71/ partially also Akhferga and Amejnes of the Irohalen. These disjecta (423) membra preserve among them the fixed bond of landed-property co-ownership, and once again the value of the land documents is striking.

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The fact is that in the great majority of cases it is an immigration from the Anti-Atlas or from the Sous, from the South in any case, that is related. This phenomenon of expansion from the S. toward the N. is a general phenomenon, confirmed by the

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173 we have often borrowed. We would find similar ones outside of the Seksawa: for example, in Mez'ud'a, in Mtugga, to restrict ourselves to only immediate neighbors. The existence of such animals reveals a character of the country more profound than its propensity for heroic destinies.

In this country, individuals mark /Fr. marquent, mark, stamp, indicate, testify/, things happen. As paradoxical as the observation may appear, it is not so common in the past of North Africa. Let us understand that here the event leaves its trace in a collective memory. It does or does not utilize writing. In any case, it fixes something much more precise than the simple continuity from generation to generation. /90/ These memories, conscious and detailed, full of imagery and dramatic, even flourish in the literature. For one who has visited other populations, those of the Gharb, for example, what a surprise! In this world of the Atlas, society has a feeling of its own duration. It punctuates its past with victories and vicissitudes. The permanence of family archives depends on the constancy of the group chronicles, from which great figures naturally stand out.

631 These chiefs are temporal chiefs. Not the least attribution in the Frazerian manner. No "kings," but an intendant, a captain, an administrator. This milieu practices the separation of powers. Elsewhere, perhaps, or in other times, dynasties of "marabouts" claimed a mystic efficiency: in origin at least, for the action very soon became profane. Here, on the contrary, in what might

[677]
[777] be called the public law, both between taqbilt-s and within any one among them, the relation between the sacred and the secular is determined by sharing and contracts, not by confusing one with the other. The aptitude of these societies to record their pasts is explained. No longer does patriarchal indivision reign over individual and community activities, but a careful demarcation; the continuance of the group does not vanish in fleeting perspectives: ancestor saints or golden age. But at all stages the same careful little man is discovered, capable of virtues and subject to the weaknesses of his distant descendants. Individual differentiation, demarcation between the person and the community, the

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174 the ones going off toward the Atlas were not partisans, but refractory ones (1).

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1. Let us recall that this was often the case for montagnard societies likewise archaic. For example, in Spain, M. Legendre, Las Jurdes /Las Hurdes/, 1927, pp. 86 sq.

[184]

In the Chleuh /Shluh/ world, our Seksawa would thus answer for the Idaw Semlal (2).

2. The Seksawa are, if I may venture to say so, I. Semlal turned about. What would we not give if this group, brought to our attention by so many indications by Justinard and R. Montagne, were to become the subject of a historical and sociological study!

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Here, the cultural profusion, the richness in heroes of this /96/ world and of the other: minstrels, merchants, jurists, saints, dancers; a fecundity so conscious of itself that it leads to academism (1).

1. Cf. for example the veritable literary "séances" described by Justinard, "Notes d'histoire et de littérature berbères /Notes on Berber history and literature/", Hesp., 1949, pp. 291-326. The ethnic Samlān is extraordinarily frequent in the biographical collections concerning the doctors or saints of the Moroccan South, the Manâqib al-H'ud'aykī, for example.

There, on the contrary, a sullen reserve, an obstinate silence. From the end of the fifteenth century, the cadre of the Seksawa, becoming archaic, takes in the waste products and the

/103 cont./

619 metaphoric as it may be, this comparison nevertheless contains
648 its share of truth.

But the natural forces in themselves alone would fail to account for such exchanges. Reserving the historical problem of emigration, let us then apply ourselves to another problem, more particularly of the coast, if one wishes. It is the one to which these successive eliminations led, as to the essential and to the most permanent of those that the relation between the plain and
[241] the mountain poses. It is that of the correlations that are established between the mountain and the plain, when the montagnard has his tillage in the plain.

241 In the two neighboring groups, Dwiran and Mez'ud'a, the agricultural life as well as the habitat are divided very precisely between the plain and the mountain, lud'a and adrar. A well-
221 organized correspondence links portions of the plain to the mountain
619 villages through a tight network of seasonal going and coming, of work, and of complementary productions. Hence, within
• [171] these two tribes, something analogous to the "remue" /moving/ so characteristic of the life of the Alps or the Pyrenees (1).

1. J. Blache, L'homme et la montagne /Man and the mountain/, 1933, pp. 17 sq.; R. Capot-Rey, Géographie de la circulation sur les continents /The geography of the circulation on the continents/, 1946, p. 58.

178 In olden times, in Mez'ud'a, for example, the division of land in
241 the plain reproduced the political map of the mountain. Each
221 village of the plateau or of the high valleys extended a perimeter of cultivation into the plain. But one hardly stayed down below.
[343] It was to the shelter of the escarpments and often in fortified
[1712] granaries or agadir-s that the peasants sheltered the harvest. The peace changed all that, and today one observes a double habitat
(2)-

[171] 2. Likewise the transhumance of the Anniviards led them to possess several habitations or villages,

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/footnote 2 continued/ J. Brunhes, Géographie humaine /Human geography/, t. II, p. 673;

F. Braudel, op. laud., p. 48 (for Corsica).

The projection of the mountain populations onto the plain is often pointed out in North Africa, and in the most varied regions. Outside Morocco, one finds it, for example, to the S. of the Aurès, where, for the Bēni bu Slīman, it has been pointed out by the commissioner of the Sénatus Consulte (report of 5. XI. 88, Aris arch.): it assumes an almost geometrical regularity there.

The plain even attracts, by more facilities offered, montagnards formerly forced into a constant vigilance.

[171] /104/ Now, such a correspondence does not prevail, or no longer prevails, among the Seksawa. Nevertheless in this part of Morocco it seems to have been constant at the times certain European sources evoke (1).

1. Sour. in. Port., t. I, pp. 444, n. 2, 672.

[361] A regular movement between the habitat and the tillage characterizes the tribes in the Portuguese zone of influence at the beginning of the sixteenth century. Thus, the Ābda stored at Agawz what they harvested far away. The Chyād'ma came and went, utilizing the agricultural proceedings to mask a military operation or a political rally. The Cherqīya did the same. A piece of bad news left a void around the conquistador: Nuño Fernandez of Atayde was then obliged to go to hunt for his tribes. As we might say, he sought to "fix" them. Everywhere, the tillage encampment is called D'ar al-h'arth. It is markedly distinct from the principal habitat. This alternation undoubtedly expresses, at the same time as a seasonal rhythm, a human rhythm: concentration for the agricultural work, dispersion in the intervals. The Arab conquerors, the official powers, like that

/104 cont./

- 171 of the Sâadians, tried to participate in the game. They did so with more or less good luck or damage. Unfortunately, the little that the sources impart to us about it does not permit specifying with sufficient verisimilitude what the life of these groups in perpetual oscillation, and practicing in a way an agricultural transhumance, might have been at this time (2).

2. Phenomenon observed in Algeria toward the middle of the last century, X. Yacono, Les bureaux arabes et l'évolution des genres de vie indigènes dans l'ouest du Tell algérien /The Arab offices and the evolution of the native modes of life in the west of the Algerian Tell/, 1953, pp. 46 sq.

- 178 The present antithesis between shepherds and plowmen; the latter
221 sedentary, the former moving, and the consequences that one draws from it today are therefore perhaps not merited for the Morocco of the time. In the fifteenth century, the movement appears general. How would the Seksawa, at the time of their expansion of the thirteenth and fourteenth centuries, have avoided it? One hesitates to believe it.

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221 /The following two paragraphs are in small type in the original source./ Not yet completely lost perhaps is the memory of a state of things when the ground of Inzzlyma, downstream from Bul^cwân, long contested by the U^c Bessebâ^c, was the dâr al-h'arth of the mountain cantons. As though by an irresistible
(423) vocation, ones such as these persist in cultivating there lots that
(429) they rent or obtain precariously from the present rightful claimants, the "collectivities" of the a. Abdella and of the a. Imintanout. The complete absence of documents, the present qualification of "communal," muchâ^c or lmuch^c, indicate still today at any rate that the appropriation of land of the landed estate has been traditionally reserved.

624 /107 cont./
312 immediate sanctions, and calling for its /108/ own application,
without discussion or appeal (1).

• [191]

1. J. Costa, Colectivismo agrario in España
/Agrarian collectivism in Spain/, 1915,
pp. 541 sq., also observes that the famous
Water Tribunal of Valencia, the Cort de la
Seo, is a very amicable jurisdiction. Conflict
could, at any moment, be removed to a
judiciary instance, but that never happened!

624 is glimpsed here. It sanctions a certain number of what we shall
312 call principles. For example, the upstream-downstream direc-
578 tion is the direction that governs the continuity of the irrigation,
628 and can, in case of conflicts between groups, give rise to au-
thoritarian application by the power. Thus the old legal dispute
between Gedmiwa and Mez'ud'a, for the séguías of the asif
el-Mâil. Such a rule implies on the part of the upstream irrigator,
whom it favors, some discretion, community honor, care not to
harm the people below. That generally suffices among fellow
628 citizens. It is the primary step. Beyond that, there are agree-
312 ments between groups. Most often, they manifest very old bal-
578 ances and a statutory constancy. But occasionally also they are
[1954] more circumstantial: subject to mercenary debate or also to ritual
proceedings. A part of the water is bought, unless it is obtained
by the "injunction" of the âr (2).

2. Cf. E. Westermarck, Ritual and belief in
Morocco, 1926, t. I, pp. 518 sq.

[648] This is what happened in a. Musa for the use of the water from
Aduz, in Ud Besbeba^c for obtaining supplementary portions from
the séguías of the Seksawa of the Dwiran. This is what happens
generally at the time of the floods: the unforeseeability of a
windfall determines modes of distribution that amply go beyond
any strict regularity.

233/110 cont./ Undoubtedly this mobility does not affect
221 the size of the veritable displacement of peoples which the
[191] Cachâba is in the Algerian South (1).

1. A. Bernard and N. Lacroix, L'évolution du nomadisme en Algérie, 1906, pp. 36 sq., on the sui generis law of Cachâba. Suggestive description of this displacement in E. Fromentin, Un été dans le Sahara / A summer in the Sahara /, 3rd ed., 1874, pp. 229 sq., and the Cl Villot, Moeurs, coutumes et institutions des Indigènes de l'Algérie / Mores, customs, and institutions of the natives of Algeria /, 1888, 3rd ed., pp. 383 sq. Let us add to this magnificent gallery of Algerian studies the work of L. Lehuraux.

or the slipping S.E. - N.W., followed by the fanning out of the ovine tribes of the Moyen Atlas (2).

2. J. Célérier, "La transhumance dans le Moyen Atlas / Transhumance in the Middle Atlas /," Hesp., 1927, pp. 53 sq.

Doubtlessly also it is now a matter only of the transhumance of professionals and not of the whole household, and that confers on the movement an import more economic than social. But that is perhaps only a decline. At any rate this veritable strewing of animals and men, which spreads the herds of the high valleys quite far into the plain every winter, is an important sign. And the contrasts -- at the very least immediate and tangible -- that have just been raised offer a not negligible grasp on the intimacy of the institution.

231 Now let us approach this pastoral life under its most sedentary
241 aspect, in its articulation with the mountain horticulture. Its
[342] liaison with the latter is fundamental. It manifests itself even in the house, where the human habitat and the animal habitat

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coexist. It is a "maison en hauteur" /high house/ (3).

3. This is the expression of A. Demangeon, in his suggestive article on "L'habitation rurale en France /The rural habitation in France/," Ann. de Géographie, 1920, pp. 370 sq. A comparison is made with an architecture common all around the Mediterranean: our Pyrenean and Alpine south, the western part of the Balkans, etc. A frequent feature there is the second-floor veranda, which we find here in the form of a sort of loggia: the assqqif.

the base of which is occupied by a shady and oblong stable: the agrur, plur. i^wgrar, source of heat and laboratory of manure.

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This manure, amazir, carefully gathered, then spread on the minuscule squares of irrigation, renews a soil worn out by maladroït immersions and a production always kept going. By that, the Seksawa peasantry joins the oldest agricultural classicism of the Mediterranean. It is based on a give and take between man, soil, and animal. It thus contrasts in quasi-absolute fashion with the plains agriculture in Morocco, where this liaison between herd and tillage disappeared sometime at an epoch otherwise uncertain, never to reappear any more up to now.

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/111/ The stabling, propitious for the preservation of the young subjects, implies coherent care of the pastures: natural and even artificial. In the fields, at weeding time, for example, but also on the slopes surrounding the village, or in the forest, one sees the women gathering, basket in hand or an armful on the back. It is the men who cut and chop the young leaves of the holm oak or of the juniper tree for their beasts: a resource for winter. A whole range of plants is thus collected, and of such a type that a continuity manifests itself between the foods of man and those of the livestock. The difference between "salads" and provender is not great, and the solidarity between them, as soon as there is trouble or scarcity, is transformed into identity. Thus

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246 prohibiting cutting or opening the ag^wmi constitutes an important
675 event in village life (2).

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2. A good description of the Kabyle "summer pasturages," of the prohibition against cutting them, etc., all very analogous to our ag^wmi, in M. Rémond, Djurjura, terre de contraste /Djurdjura, land of contrast/, 1940, p. 221 sq. It will be instructive to compare these Maghrebi practices with the same Pyrenean practices: for Andorra, J.-A. Brutails, Études sur la condition des populations rurales du Roussillon /Studies on the condition of the rural populations of Roussillon/, 1891, p. 253: it is a matter of the devèse, "place removed from common enjoyment" (cf. Chleuh/Shluh/: ag^wdal).

246 Any transgression is punished by an "amende," /112/ az'z'ayn.
675 The pasturage agreements are among the essential circumstances
634 of the external law of the groups. Thus the Tichka, summer pasturage, bitterly disputed between tribes, has doubtlessly animated for a very long time leagues and ententes, "lies et passeries" (as our Pyreneans say), which mark this history. It was [175] the subject of a pact between a. H'adduyws and Idma in 1701. Even when the debate reaches the military or judiciary plane, that is to say, in cases of tension between groups, a rural order also acts, with an importance that one can measure by thinking of the vital necessities that it takes care of. It only rarely gives rise to writing, because it is of a different plane. One will be 675 more surprised consequently that the ententes for transhumance, 221 although coming out of this international law, refer still today 178 to unseizable conventions and unnamed laws so much the stronger as their inconsistency and their unilaterality are now discovered

675 /112 cont./
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by the users themselves. This is, moreover, not a trait especially Maghrebi. Elsewhere, too, these arrangements reflect an "old, almost imperfeible technique" (1).

1. J. Blache, L'homme et la montagne /Man and the mountain/, 1923, p. 19.

which has struck all observers of the altitude life.

233 A problem that this society presents to us as settled once and
241 for all is in any case that of the marginal relations between the
pasturage and the tillage (2).

- 233 2. The difficulty of these relations and the
241 historical incidence of these very difficulties
171 is one of the themes of the great work by
Marc Bloch, Les caractères originaux de
l'histoire rurale française /The original char-
acteristics of French rural history/, 1931.
The same guiding thread, for Spain, in the
study of J. Klein on La Mesta /The Associa-
tion of Livestock Raisers/; for the Maghreb,
in that of Bernard and Lacroix, L'évolution
du nomadisme en Algérie /The evolution of
nomadism in Algeria/, 1905; for Sardinia,
M. Le Cannou sees there the explanation for
the famous system of the "vidazzoni," Pâtres
et paysans de Sardaigne /Shepherds and
peasants of Sardinia/, 1941, pp. 134 sq. On
the "spirit of pasturage," R. Dion, Essai sur
la formation du paysage rural français /Essay
on the formation of the French rural country-
side/, 1934, p. 55.

/115 cont./

233 the azaghar of the a. Iggas; the converse is never true. Besides,
221 this subsidiary direction rather has the value of a historical indi-
648 cation. But in both cases the important fact is the asymmetry of
the relations between the Atlas and the plain of the Haouz.

233 This asymmetry is not a fact peculiar to this part of Morocco.
221 It is found again in other domains (1).
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1. R. Capot-Rey, Géographie de la circulation sur les continents /Geography of the circulation on the continents/, 1946, p. 52. According to P. Deffontaines, art. cit., "the pastoral mountain appears primordial and it has remained preponderant for a long time in the whole Mediterranean basin" (p. 25). As proof, the organization of the Castilian mesta /associating of cattle raisers/, the lies et passeries of the thirteenth century (p. 31). In the Alps, on the contrary, the pastoral life must concentrate on itself (p. 26).

But here it is all the more striking inasmuch as it is a question of transhumance from the mountain to the plain, thus the opposite of what the geographers quite arbitrarily call the normal type. Here, to speak as they do, it is an inverse transhumance (2).

2. J. Blache, L'homme et la montagne /Man and the mountain/, 1933, p. 31. And nevertheless, in Sardinia, for example, where this institution plays such a great role, it is the mountain flocks that descend to the plain, cf. Le Lannou, Pâtres et paysans de la Sardaigne /Shepherds and peasants of Sardinia/, 1941, p. 174. See the criticisms addressed by F. Braudel to this expression, La Méditerranée... /The Mediterranean.../, pp. 38 sq.

/117 cont./

571 we are far from such emotional intensity). It is generally some
431 loaves of sugar as a gift and occasionally, depending upon the
233 importance of the parties and interests in question, a head of
221 small livestock. Over and above that, the appreciable counter-
part of the manure. All the collective and individual varieties
appear in the relations of proximity thus established. They last
several months between the partners, while the shepherd alone
remains fixed. The owner makes only periodic appearances. A
[634] "good shepherd," like the amghar of the Haut Seksawa still at
present, multiplies his visits: inspection tours, patriarchally
joined with proceedings of agreement and friendship. Another
such, from the I. Geryun, married an Ud Besseba^c girl and thus,
through love of his flock, did not hesitate to submit himself
to the troublesome subtleties of the notariate of the plain any
more than to risk the experience of an Arab marriage. All these
relations are in fact marked with a good nature doubtlessly in-
herent in the pastoral life, since, long after the pre-Islamic poets,
it further wrings from the moderns the most lyric of descriptions.

174 The winter movement, affecting especially the Haut Sek-
221 sawa, proceeds on these Pyrenean or Alpine models which, al-
233 though decadent and no longer achieving the amplitude of former
times, are nonetheless repeated all around the Mediterranean.
Here the reasons are probably above all historic and are related
to the exceptional density of life that the Atlas has preserved
above the warm and steppe plains. Since the Moroccan lower
Middle Ages, these plains have been the theater of much larger
pastoral migrations, like that of the Sofyan from the Sous to the
Haouz and to the Chaoufa. The contact between these two
rhythms, when the two confront each other still in the pure state,
in the fourteenth century, for example, must have produced
political and cultural interferences. The "alliances" noted by
[571] the chroniclers between montagnards and Hilalians or Ma^cqil, to
the N. as well as to the S. of the Haut-Atlas /High Atlas/, were
probably of this order. It has been observed elsewhere, in the
[171] Pyrenees, for example, to what point /118/ these relations of
plain to mountain, the most important of which is the one that

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the pastoral exchanges establish, have acted on the political structures. That is, in the epochs when these movements of flocks reached an amplitude as considerable as from the Sous to the Gharb, for example, did an organization comparable to that of the Spanish mesta arise? There is nothing of it. Whether the trait be old or new, we find nothing in Morocco that resembles the prodigious institutional life that for five centuries developed in Spain around these migrations (1).

1. Let it suffice for us, on this point, to refer to the masterly work of Julius Klein, La Mesta, Barcelona, 1936, in which the vast Mediterranean correspondences of the phenomenon described have not been overlooked. The Spanish case no less presents a great originality, as much by its geographical scope as by the colossal historical organization that it reveals, and which is of unilateral advantage in many respects for the shepherd. The contemporary period reacts against this privilege. There is nothing more enlightening than to compare the map of pp. 34-35, a map of the routes of transhumance and of the vast official placings in defense, or dehesas, with what could be reconstituted of a medieval Maghrebi stage.

221 In the present stage, we see here only unwritten relations,
233 plunging into a haziness that little by little the evolution of the
591 whole country belies. The migratory route does not have a firm
634 basis, the relations between shepherds and cities are not clearly delineated, and, all the more reason, no magistrature, like that of the Spanish entregador, comes to specify the matter. Not only does the Moroccan transhumance rest at the stage of unwritten tradition and discourage codification, but it is not at the level, or is no longer at the level, of the technique of purely cantonal

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or intercantonal agreements, placings in defense, for example.

It nonetheless reveals an old order (2).

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2. It should be noted that in Spain the origin of the mesta is very obscure and that certain authors have even attributed it to the influence of the Berbères /Berbers/. Cf. J. Klein, La Mesta, p. 19.

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Of prelaw, if one wishes. In the case of the Seksawa and of their neighbors of the western Haut Atlas, this order somehow or other survived the accidents of history. To the natural determinisms of snowfall, pluviometry, and insolation, on the whole governing the nutritional possibilities of the pasture on the heights, are added phenomena of another order: the event that bolted the past of the Bas /Lower/ Seksawa and, by that, strangled the old agricultural rhythm; the frequentation, more and more vehement and finally permanent, of the plain by the Arab tribes. The node of all these facts is placed in the second half of the fourteenth century. This was doubtlessly one of the key phases of Maghrebi history. Decisive in any case for the Maqmûda. But inasmuch as a patient analysis of /119/ mediocre and dispersed elements, and the good fortune of texts, will not permit us to form a more exact idea of them, one will know nothing of what the relations were between the natives and the new arrivals, the incidence of one on the other, and the fashion in which the real history of the country was made or unmade -- it comes to the same thing -- at the time.

Continuities

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It is evidently the submeridian direction of the Seksawa that constitutes the geographical axis of this society. Both path of descent and of penetration, the torrent, through its main bed and the affluent ravines, by degrees up to the last cells of the mountain cadre, airs and vivifies the whole. The fractioning of the

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133 fluvial basin into secondary units, the cantons, thus corresponds
634 to both a logical classification and to a physical division of
landscape (1).

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1. Similarly, in the Pyrenees, the political state is formed, down to its subdivisions, "vicq," "locq," "cuart," "voisinages," by the relation between plain and mountain and the articulations of the relief (M. Sorre, Les Pyrénées, 1922, p. 73 sq., and, for Andorra, J.-A. Brutails, Études sur la condition des populations rurales du Roussillon au Moyen Age /Studies on the condition of the rural populations of Roussillon in the Middle Ages/, 1891, pp. 263 sq.).

Whence the profound insularity of the taqbilt, sunk into its hollow in the rocks and having only its torrent as vivifying artery to link it to the main valley and, from there, to the outside world.

184 But is this isolation a basic given, or a result? Does its picturesque reality not hide the fundamental relations that unite it with other parts of the system? The history of the Seksawa went toward a reply on that, which the present facts confirm. What is essential in this life is precisely that it surpasses any cantonal fragmentation. The attraction of the plain, the circulation of the channelized water, the movement of the flocks are only three signs, images of exchanges that link men and places beyond the narrow barriers.

121 One is thus led anew to the hypothesis according to which the
619 Seksawa would today be only a mutilated system. Their present
634 division into valley sections would only correspond to secondary necessities. The correspondences between high and low country that their Mez'ud'a and Dwiran neighbors have been able to maintain in their political and landed-property structure result doubtlessly from better preservation. Or rather, the present cutting-up of the Seksawa and their elimination from the plain

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II. Matter and Outlines of Peasant Work

The Field and Its Personality

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Old and profound idea, the one of the field. A millenary tradition colors it with feeling. Studies as rigorous as that of a Rounel can be wrapped in lyricism without, for all that, losing contact with science. Many generations have sought in the Géorgiques /Georgics/ both the most exact rules of Mediterranean agronomy and a charm which, far from depriving the exactitude of the discourse of anything, amplifies and extends it. This rare conjugation between "poetry and truth" is explained by the synthesis that is brought about by intellectual, practical, affective values, where rest the earth, man, his tools, his history, his solemn or familiar life. And the basic element of this synthesis is the field.

But what is a field, in the Haut-Atlas /High Atlas/ (1)?

1. J. Berque, "Un glossaire notarial arabo-chleuh du Deren (XVIII^e siècle) /An Arabo-Shluh notarial glossary from the Deren (eighteenth century)/, "R. afr.", 1950, pp. 359 sq., on the different names for the "field."

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Would it be the individualized domain, continued in the time and space of the Romans? Or the long parcel of the Nordic plains, tied into clusters by the obscure agreements of the open field /italicized words are in English in the original source/ (2)?

2. M. Bloch, Les caractères originaux de l'histoire rurale française /The original characteristics of French rural history/, 1931, pp. 21 sq.

Or the same soles of strips /Fr. soles de lanières/ discovered in a completely different milieu, and undoubtedly amidst completely different environments, by Weulersse, in this Near East mucha^c,

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241 whose appellation (but not the reality) reappears among the
171 Chleuh /Shluh/ (3)?

3. C. r. of the book by Weulersse, "Le pays des Alaouites /The country of the Alaouites/," Ann. hist. soc., 1943, III, pp. 116 sq.; Latron, ibid., 1941, p. 122, and 1943, III, p. 117, n. 1.

Or the close of woodland, which paradoxically evokes by certain traits, despite its dryness, with its woods and its enclosures, the H'sh'a country? Or the Mediterranean saltus? Let us stop at this last form. It is so appropriate for Maghrebi antiquity that one of the first lines of research that one might imagine would be to check to see if anything in the present reality of the Moroccan South corresponds to it. But one can affirm without fear that, comparison for comparison, it is /122/ not to the saltus, but to a diametrically opposite rural form, and which the magnificent aerial photographs of the Constantine limes have restored, that our observations would instead make one think of in this part of the Atlas.

Nothing will appear closer to the ensembles of parcels "in a honeycomb" (1)

1. J. Baradéz, Fossatum Africae, 1949, pp. 173 sq.

discovered by the flight over the Roman fossatum than the analogous ensembles, irrigated by a whole arborescence of ditches, of our high valleys. Doubtlessly, there and here the problem is not identical. The techniques described by J. Baradéz would apply even better to the subdesert plain or to the Dir than to the montagnard horticulture. But the form of the grounds is there. Same agglomeration of minuscule quadrilaterals downstream from a basin. Same art of the bank of earth cutting and directing the development of the waters. Let us stop at this superficial

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(114)

analogy, quite justly proper, if one wishes, for adorning the account with images, and without posing the question that immediately comes to mind. Without discussion, J. Baradez attributes all this technique to Romanity. What one might conclude from the present historical account is that in a completely different part of the Maghreb, champion of African isolationism, analogous forms flourished. What differences, besides! The centuriatio is, in these confines of the African Romania, the very basis of the agglomeration of parcels. The exact boundary, the geometrical cadre, and the art of the land surveyor are necessary complements of the land. There is nothing more contrary to the notion of a boundary that our montagnard has. One could almost say, not without some paradox, it is true, that the limit of the field is not at all topographical for him, but is of a completely different order, which we are going to try to define.

At the antipodes of these montagnard parcels, let us first examine the field of the soft Moroccan Atlantic plains: in the Ghârb, for example (2).

2. J. Berque, Études d'histoire rurale maghrébine /Studies of Maghrebi rural history/, 1938, pp. 11 sq.

Here the agrarian unit is appropriately the social force, whose visible sign, and at the same time the unit of measure, is the zawja, "harnessed by tillage." A diffused landscape, a great excess of arable land, very anciently cleared, seem to oppose to the development of property only the exigencies of rival developments. A neutral milieu, where theoretically each one spreads out to the extent of his strength. It expresses in itself a liberalism of competition. One conceives that in such a milieu the boundary of the land may be shifting, retractile. If the field is cleared of stones, the stones are grouped in piles, kerkur, k^werkur, not on the /123/ periphery, but in the interior. Now this pile quite frequently assumes a magico-religious function, that of maqâm, "mansion." At the end of this evolution the

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- 171 Semitic baetulus is glimpsed. It can be contrasted with the Latin God-Term.

241 The lower valley, at Bul^cwān and Tuz'z'umt, where intercalary crops are spread quite widely on two levels very well marked, almonds above, olives below, possesses several enclosures. The wall of dry stone, ad'erras, occurs frequently in the country, for all sorts of uses.

[333] The most interesting names for the "enclosure" are agellay and urti, this latter word having multiple acceptations. But the form becomes rare as one penetrates into the middle valley. It is hardly in accord with cantonal égalitarianism. It implies larger facies than are offered upstream, and also a kind of life that is no longer that of the rich man of the mountain. It cannot be counted here as a type. Even in the lower sector, moreover, it squares with completely different conceptions: one will see it apropos the ground of Bul^cwān itself, which, however, constitutes the extreme concession of the Seksawa system to the matters of the Dir. There, as at Tuz'z'umt, one can move about for a long time under the almond or olive trees without seeing any discoverable limits in the topography, really marked out materially.

Second type: the crops of the thalweg sprouting up in the masses of small stones and claiming a precarious existence in the autumn floods. Very often, parallel bands are marked by ranks of blocks. Clearing away stones contributes to the establishment of boundaries and embankments. Sometimes with great difficulty. The least freshet puts everything in question again. Remarkable

[192] examples may be observed facing Bul^cwān itself. They bear an Arabic name, lulja: bottom crops, risky crops incessantly lost, and begging for nourishing moisture from the inundation that ravages them. In the higher valley, in a. Lh'sen for example, the system becomes more original. One finds, on one hand, the island of fortified blocks, reinforced by trees, and, on the other hand, the crop of long submersion. That is a matter of a form a bit special: agriculture of chance and exception, that of these akrium, where human effort indefatigably recommences its humble edifice before the menace, but also the benefit, of the

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- 241] Only the quarter has a personality, in the toponymy as in the landscape. But it is not united by appropriation, unless one sets it up as a "collective field," which one could not do without
- [423] abusing the expression. The parcels that are discerned there indeed arise from a molecular ownership, if I may venture to say it. But they hardly have any topographical existence. They are only crumbs of patrimony.

Divisions and Organs of the Field

- 241
423] Quite abstract as it may be, this fractioning plays its role. But its strength is not tied to a material demarcation, to the consistency of an area. It is connected rather to a verbal affinity. Such and such parcels, dispersed within the ground, are reputed to be the legitimate portion of such and such a family.
- [691] This qualification is their only defense. There is nothing more striking at the time of legal disputes over boundaries. What is affirmed in the procedure is not the concrete value of a limit, it is, so to speak, the autonomy of a cell. Quite a difference from the Mediterranean type of the fundus. These parcels are defined less by a spatially determined cadre than by the fitting in of one having rights among others having rights. Aided by the modicity of the areas, the identification of each is not local, but onomastic. The names subdivide a quarter, which is itself a division of the ground. Similarly the taqbilt is divided into subgroups, which are subdivided into families. Toponymy and anthroponymy are thus combined to form, with the help of other factors, a diversified and tiered system which is defined by the hold of verbal classifications on pieces of country, by the association of names with pieces of ground.
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Let us grip more closely the identity of this patrimonial cell that the parcel represents. In general, it is a minuscule quadrilateral inserted among a multitude of others and defined by this very insertion. Its area is of a modicity that is astounding.

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114 example, it must be confessed that an analysis preoccupied above
121 all with morphology, like ours, quite systematically omits the
789 "magic" aspect of Maghrebi affairs. But, on the one hand, the
acceptation of Laoust is much broader, and means all at the same
time magic in the strict sense, religion, and folklore. On the
other hand, if many of the facts that it embraces are only guilty
of having been interpreted without a statistical context, they
nonetheless exist. That is already a great deal. Would to God
that the collection had been increased since Westermarck and
E. Laoust with the same élan that animated these great explorers!
Subsequent developments that will be devoted to the religious and
juridical structures of the Seksawa will close up these distinctions.
But here and now, and although, once again, the discussion of the
Frazer thesis applied to Maghrebi phenomena is not our purpose,
it is necessary to dispose of it, as evocative (or creative) of a
partial, but incontestable verity of atmosphere, as it assuredly
merits in any description of rural life.

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171 In all of North Africa, the "tasks and the days" are ordered
according to a double division of the year into months of the
Julian calendar, with curiously Latin names, and into "mansions,"
manâzil, of thirteen days each, based on astrology (1).

1. This is in any case an extremely ancient
genre in the Mussulman Occident. Cf.
H. -P. -J. Renaud, Le calendrier d'Ibn al-
Bannâ de Marrakech (1256-1321), 1948, more-
over on a Cordova prototype and, it seems,
without reference /this footnote is continued
on the next page in the original source/ to the
Maghreb. Cf. also Joly, Arch. mar., III,
1905, pp. 300 sq. Léon, Description de
l'Afrique, Schefer, t. I, pp. 112 sq.

The generality of this belief in the manâzil
is attested by the fact that a small treatise de-
voted to them by a man of letters from Mar-
rakech, Ibn Al-Muwaqqit, Natijat al-^cumr,

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/footnote 1 continued/ Egyptian edition, 1930, a breviary of erudite centos and good-woman advice, with numerous agricultural references, is sold throughout North-Africa, and, it is said, even in Egypt. It would be interesting to know if the "mahone calendar" used in Algeria by sailors and peasants has any link with this Mussulman folklore.

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Finally, beside /131/ the old rural celebrations, like the "New Year," yenneyr, or "Candlemas," lançra, the Mussulman fasti, following the lunar year and hence disconnected from the first two rhythms, also introduce their holiday or cease-work periods. Whence a complex system. The study that might be made of it for a given milieu would be suggestive. But it would rather come under the jurisdiction of folklore. At first sight, it is the similitudes with the rest of the Maghreb, even Arab, rather than peculiarities that would constitute the principal problem here (1).

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1. We shall find at various times the same Maghrebi community, subjacent; in a way, to regional developments. To speak like A. Varagnac, the "archéocivilisation" of North Africa is one. From that perhaps comes the fact that ethnology is so little efficacious in accounting for the veritable characteristics of the different regions. The originality is not in the "foundation," it is in the treatments that it has undergone, that is to say, in the history.

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Two investigations will be detached from it as better adapted to the character of our work: first, on the unfolding of the agricultural campaign; then on the functions devolving, in the bosom of the group, on such and such subgroups.

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also the month of retribution: ighli-d unamar f-taffa n-yan
iskummern. "the unlucky star haunts the grindstone of the lazy."
A moralizing adage that does not deceive: everyone knows that,
even in the irrigated country, the fortune of the meteors still
conditions in great part the life of the vegetation. Beyond the
dryness and the water, it is the wind that scatters the almond
blossoms; the mist that brings on the fumagine of the olive tree,
without speaking of the hatching of animal parasites.

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Above all, this account is interested in retracing the unfold-
ing of the campaign with the succession of the different activities.
It is striking that the comparison of such an agricultural calendar
with those that our North African agronomy sometimes establishes
(1)

1. Cf. notably Rivière and Lecq, Traité
pratique d'agriculture pour le N. de
l'Afrique /Practical treatise on agriculture
for the North of Africa/, 1928, t. II,
pp. 401 sq., on the calendar of the North
African farmer, and p. 578 sq. (agricultural
generalities on the region).

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reveals, bearing in mind the particularity of a montagnard milieu,
many concordances. This particularity draws up, according to
altitude, the succession of dates suitable for each crop, for each
harvest. It divides the register in two by the distinction between
the early and late modes. What precision and even subtlety! The
different terms of the system are articulated and fitted in among
superposed cantons. They permit the barley harvested in a.
Abdella to be sown in Idma, and the peasant of Iguntar to reap
for others for money, before reaping for himself. Another "ver-
tical liaison" among cantons that our chapter on the organization
of Seksawa space neglected.

241 /138 cont./
796 exceptional. In most cases, one can only conjecture the motives
613 of the vocations: antiquity, whence legitimacy (theme of the
autochthony); holiness, power, or, on the contrary, sanctimo-
nious poverty. There one certainly touches an old, but defaced
and almost unintelligible foundation. There remains concretely
only a notion of unequal qualification among ikhs-s.

The meaning attributed to this practice of the initium is also
unclear. One expects good augury from it: it is the type of very
vague benefit that is also attributed to other agrarian ceremonies:
those of the yenneyr, of the amâchur, or of this tafaska with a
name almost certainly Mediterranean ("la Pâque" /Passover/).
[777] But no more. These practices are qualified as idolatry, agnâm,
even by their faithful, who can very well and spontaneously
distinguish them from the rites of orthodoxy, from the cult of
the saints, or from communal practices.

Here it cannot be a question of analyzing the subjective as-
pect of these practices. Besides, differences between them are
evident. The libations of ifyed', where they are practiced, owe
[182] to the demonologic reference their characteristic precision and
liveliness. Whether the interpretation is a good one is another
[541] question. On the other hand, the battles by blows with clods of
earth, bunches of nettles, jars of water (1)

1. Good observations by F. Gorjon, "Les rites du feu et de l'eau chez les Berbères du Maroc /Fire and water rites among the Berbers of Morocco/", Bull. EPM, 1952, pp. 199 sq. (for a region very close to ours).

• 171 are in the province of games and tend to affect only the youth in
Seksawa, like our carnival. Elsewhere, on the contrary, among
the Frûga, for example, the ceremony unleashes the whole com-
munity for a day, and the aspersions are mixed with equestrian
contests. Everyone has his opinion on these practices. The
superstitious, the joker, the strong-willed, the village bumpkin,

/138 cont./

171 the traditionalist have one, each in his fashion, and /139/ manifestly none of them feels bound by the group. An important nuance. It happens that, defying the Berbère /Berber/ enthusiasms of our ethnology, the Arab populations display a wealth of customs much more general in application and more ardent in belief than our montagnards (1).

1. This is evidently an impression, which statistical analysis should cross-check.

Thus there are the games of the night of amâchur (ar. /Arabic/: the ^CAchûr): the cho^Cala of the Ud Bessebâ^C redden the plain, whereas the tijuffa of the Seksawa, and especially of the Dwiran, are evidently rarer and less frequented. This celebration, that of the prophetic Mîlâd and of the Aid Lkbir have moreover served as connecting links between many native rites and the orthodoxy that legitimates. Thus, the a. Abdella make the fires of amâchur a reminder of those that Abraham miraculously survived, when he was thrown in by Nemrod. The distributions of dry fruits, when the tillage is set in motion, are general in Seksawa, but tinted with an avowed nuance of fancy and gratuitousness: they "do good," nothing more. Of two neighboring cantons of the Nfifa, in the Dir, the one, the Amejnas, scarcely knows but a tiny minority to practice this custom; and the latter, immediately next to it, in the Wâd l-lbûr, experiences, under the picturesque name of jawjaw, a universal and warm application.

Thus one finds, from taqbilt to taqbilt, from village to village, for these different orders of facts, the most diverse degrees of generality, of affective intensity, and of "sacred" coloration. But this degree is never completely that of the rite. Nor further is it ever only that of simple folkloric amusement, as still not long ago was the case among us for the fires of Saint John /Midsummer Day/.

What is striking in any case, or should have struck the observers where the practices of initium prevail, is precisely the antithesis between the incertitude of their content and the clear

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241 otherwise in a country of channels and slopes, a country of scarce soil, and of domesticated rock.

A radical difference from the dry agriculture. An estimate of the annual number of hours of activity required by the one regime or the other would undoubtedly furnish decisive elements. One would have there a quantitative expression of the difference of the human rhythms. But it is impracticable in the present state of our knowledge of Morocco (2).

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2. And nevertheless how useful it would be at the time when the "watering" of the immense areas dominated by the new dams approaches in the Tadla or the Doukkala. If these researches still seem unbroached in Morocco, one might refer to a geographical milieu, the Spain of the regadio /irrigated land/, for which the following precise details are given. In the dry, an average of one person occupied on the hectare; in the irrigated, nine more. Naturally, the alimentary productivity /this footnote is continued on the following page in the original source/ is related to this density of the human population: the value in calories of the production in the irrigated is about proportional. Cf. José Terrero, "El regadio en la España peninsular /Irrigated land in peninsular Spain/, " Estudios geograficos, No. 39, May, 1950, p. 254. In Algeria, the number of annual days of employment is estimated in the dry from 14 to 18 (cereals); in the irrigated, from 21 to 25 (cereals), at 175 (fruit trees), at 175 (market gardening). Cf. Compte rendu de la journée technique du 10 mars 1951 de l'Association des anciens élèves de l' I. A. A. /Account of the technical day of March 10, 1951, of the Association of the former students of the I. A. A./, p. 10.

/142 cont./

241 Although one cannot /143/ calculate it, beyond doubt an enormous increase of density characterizes, in relation to the plains economy, that of the mountains.

[184] A concentration of work and of life, the will marking everything, a deliberate agronomy, sharpening the ancestral practices by a reasoning capable of evaluating the action of factors and causes -- such aspects are frequent and decisive. But they are not observed uniformly in all the cantons. If the hydraulics furnishes a criterion convenient for classifying these small societies, other factors compete there which are not found everywhere in the same degree. Their ideal union would make this montagnard an economic being perfectly adapted to his milieu, who would squeeze from it, by livestock breeding and tillage, the tree and the garden, every resource possible. But there is nothing of that. Adaptation of the group to its natural milieu, realization of equilibria, employing an economy propitious to a great history, which other aptitudes of these societies would postulate: all that has remained at a low, precarious level, or rather has consolidated in the regression. Why?

Creation of Soils, Collection of Water

242 The basic work in the mountains is the preservation and even
312 the creation of soils. It is mixed with another essential task, that
128 of the regularization of the water. Let us therefore examine
simultaneously these two activities, which the native agronomy
does not distinguish.

• 171 In a completely different milieu, that of the pre-Saharan plateaus, a peristyle bordering on the S. this Mediterranean world that Romania energetically made advance into Africa, such techniques have been remarkably described (1).

1. J. Baradez, Fossatum Africae, 1949.
pp. 174 sq.

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171 Will it be geographical confusion, or false and paradoxical historical assimilation, to refer to this description before passing on to that of the Haut-Atlas? Let us follow J. Baradez when he re-
132 jects as a fundamental norm of the irrigation economy the question of isohyets. On the one hand, in fact, nothing, in the present state, gives us with enough precision the amount of the precipitation in the mountains. All that one can say is that it must be much more abundant than in /144/ the Dir, at Imintanout. And nevertheless this is not the case for Taddert, in Haut Dwiran, where measurements have been made, in a domain contiguous to the Seksawa (1).

1. J. Dresch, Recherches sur l'évolution du relief dans le massif central du Grand Atlas, le Haouz et le Sous /Studies on the evolution of the relief in the central massif of the Great Atlas, the Haouz, and the Sous/, 1941, pp. 571 sq.

The astonishing ecological variety of this face of the Atlas is bound to teach prudence on this point. The compartmentalization sometimes extends down to the ground, to the "recess." In the plain itself, it is indeed less the quantity of water than its distribution in the course of the campaign that prevails. Generally, the amount of 250 to 300 mm., theoretically necessary for the dry cultivation of cereals, is certainly found on the high terrains where the albur cultivations of the Seksawa are scattered. But even there other factors intervene: snowfall for example,
133 hygrometry, ventilation, exposure. On the other hand, in the valley economy, it is the use of streaming waters that counts, even more fully than that of source waters.

The latter play a role in the dry season. But their contribution remains out of comparison with that of the flood that enormous collectors carry along, in discontinuous fashion in summer, continuous from October to April: the river bed, its tributaries, and all the ravines that flow there. The sources, and especially

/144 cont./

- 133 those that sput resurgences in the bed itself, supply a vital contribution, despite their perceptible decline in summer. For example, the so-called source of Sidi Mh'and in the bed of the Seksawa downstream from T'abya. The essential nevertheless
[312] lies in the collection of the wild waters, both by the mass of life that it bestows, and by the correlative interest that the native techniques bring to it (2).

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2. E.-F. Gautier has devoted a magnificent chapter to the surface circulation of the waters in Le Sahara /The Sahara/, 1928, pp. 71 sq. But it was the privilege of J. Despois to emphasize the importance of this irrigation by accidental waters, completely neglected by J. Brunhes, and which plays the main role in North Africa. J. Despois, La Tunisie orientale, Sahel et Basse Steppe /Eastern Tunisia, Sahel and Low Steppe/, 1940, pp. 292 sq.; communication to the Congrès de Géographie de Lisbonne, 1949, on "L'utilisation des eaux de crue dans les pays arides de l'Afrique du Nord /The use of flood waters in the arid countries of North Africa/." Example of the plains of the Houdna, Actes du Congrès, 1951, t. III, pp. 245 sq., and Le Houdna, 1953, pp. 166 sq.

- 133 The proportion between these two orders of contributions is
312 difficult to estimate. The local view distinguishes them poorly. For it, everything is a matter of "ravines," ighezraten, plur. of ighzer. It appreciates the value of the sources, which a saint legend often magnifies. But, curiously, it does not relate them to the birth of the rivers. That is why it is impossible to state precisely where the Seksawa came from. An idle question on the plane of objectivity. An instructive incertitude if one is in the least interested in grasping the native interpretation in order to
312 draw from it all that it might furnish /145/ in clues. What

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[648] in the Tolgha and the oases. In the matter of hydraulics, as per-
haps for certain architectural forms, the Haouz and the Sous are
tributaries of the h'arrat'in /Haratin/. Obviously, the ingenuity
of the montagnards is concentrated on the adduction and the dis-
tribution rather than on the creation of the water. I well know
[171] that this "creation" poses difficult problems, where European
agronomy and its "rural genius" have lost in the art of empirical
utilization and above all of collective organization what they
gained in the domain of the kilowatt. The present analysis,
being interested in gauging as far as possible to their exact level
the different parts of an economic system, must emphasize suc-
cesses and imperfections in it. The native hydraulics of the
mountains, like that of the piedmont, is more an art of planes
and surfaces than of the depths that the men of the oases readily
reach.

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Use of the Water

Here we are at the stage where the water, whatever its origin
may be, is concentrated in the reservoir in order to distribute it
to a given point. It leaves by a channel, which serves one or
several "quarters," tamazirt /Fig. 7 appears here/ or tighmert,
each being connected to it by its particular "intake," açder or
ighin. The latter feeds a supply ditch, which, by secondary in-
takes, feeds other ditches. These ditches are called "for distri-
bution" or "discharging," depending on whether they open,
directly or not, on the planches to be irrigated. These are the
asaru, plur. isura. In fact, a whole liquid arborescence ramifies
out from the big channel, connected to a reservoir, down to the
last grooves. There, /151/ "ados" /sheltered beds/, abadu, plur.
ibuda, finally determine the little quadrilateral of level, irriga-
ble by submersion, the "planche," uz'un.

804 Naturally, the distribution of water among rightful claimants
calls for an endless fractioning. It almost always works according
to a rhythm in time. The cycle is of variable fullness according
to the groups: week, ten or fifteen days. Thus it includes a cer-
tain number of basic units often called tiferday (sing. taferdit).

[TEXT CONTINUED ON PAGE 211]

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312 "the entire day" or "the half day," distributed in "parts," tawala,
804 plur. tiwlin. For each tawala there is a multitude of rightful claimants, each of whom only benefits from a fraction or sub-fraction. The estimation of it is done sometimes with the aid of instruments such as a kind of clepsydra, called tat't'agt, or further by gauging in the reservoir.

But how does this water, distributed in so sagacious a fashion, act once it has come to the echelon of utilization? There again, an abrupt lag in the technique. At the end one finds no more than the procedure of submersion. Its letters of African authenticity are moreover immemorial, since it is the same method that the peasants of the Nile practiced until a recent epoch (1).

1. J. Brunhes, L'irrigation dans la péninsule ibérique et dans l'Afrique du Nord /Irrigation in the Iberian Peninsula and in North Africa/, 1903, p. 210, citing various works. See especially Descriptions de l'Egypte, 1824, t. XVII, pp. 10 sq., and the recent book by Muh'ammad Fahim, Uḡūl az-zirā'a, al-Qāhira, 1952, pp. 37 sq. The manual of Rivière and Lecq, Traité pratique d'agriculture pour le N. d'Afrique /Practical treatise on agriculture for North Africa/, 1928, t. I, p. 185 sq., comments on the harmful effects of poorly managed irrigation, the exact modules needed by each crop (p. 193).

312 The long saturation of the soil and of the plant by water is judged
241 here to be the only efficient method. Preliminary to the tillage one practices a first inundation: this is the adunkal. Then a second one, intended to "break up the clods": this is the tirz'i wut't'ib. Then others "for soaking," isswi. Near the plain, the

[184] a. Abdella practice three of them for barley, which conforms to
[243] the data of our experimental agronomy of the South. But higher, the a. Lh'sen and especially the Idma multiply them as often as possible: up to 10 or even 12 times. Perhaps because the

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312 structure of the milieu, and to a certain scansion of the times, is
423 of keen documentary interest. It perhaps reveals a former stage
178 of this, montagnard culture and permits discovering, beneath the
individual variety that female inheritances and mutations have
amassed, triumphing over many obstacles, the authentic rudiments.
Secondly, it acts in itself as a conservative brake. The
water is by no means "attached to the land," as our books claim.
But the land and the water, correlatively, are attached to the
group. One who sells or lets alienates a part of the collective
personality, which is serious. In addition, the evasion of the
right for water out of the turn of the ikhs, the intrusion of a third
party in the roll of "sons of the uncle" cause a perturbation that
the collective organism will try to eliminate. In fact, these
mechanisms imply delicate connections between all the elements
of an agrarian order. If one of them happens to be missing? It is
a cause of conflict and failure in these operations of great style
that the maintenance of the ditches, the repair of the sluices, the
pulsation of the precious fluid according to an impeccable /158/
time switch constitute. Any lag between the gentilital appurtenance
and the tenure of the soil thus arouses reactions that tend
toward the eviction, peaceful or not, of the foreign body. Firm
or resolutory sales, inheritance by the women meet the opposition
of new conservative mechanisms. In this sense one can say that
the system of water distribution is a veritable legitimacy machine.

When the forces of mutation sweep it away, whether by their
own action or by the decadence of the community or simply its
technical resignation before too much complexity, the old mold
shatters. The turns for water will henceforth be based on something
else: the estimation of experts or topographical continuity.
At the end of this evolution, the portion of water, attached to a
certain landed property, would flit from hand to hand according to
(425) the uncertainties of individual transactions. Even worse, completely
detached, it would itself form the object of sales and loans,
of pledges or speculation: these last two stages do not appear
among the Seksawa any more than in the neighboring groups. For
stronger reasons one does not observe there the supreme stage that

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171 is constituted by the auction of water, of which Brunhes has given, for the Valencian Elche, so strong a description (1).

1. Op. laud., p. 98. Other examples cited by Joaquín Costa and others, Derecho consuetudinario y economía popular de España /Consuetudinary law and popular economy of Spain/, Barcelona, 1902, t. II: the water market at Alicante, pp. 135 sq. The hila also bears the name of dula, evidently Arabic: dawla = Chl. /Shluh/ tawala. For Spain itself, perhaps it would be interesting to compare the strange measure of irrigation called hila or hilo with what our Mez'ud'a call lme ref and the a. Abdella lmqerf. The first give it a precise definition: it is "module of irrigation whose full use can be assured by the unit of habitual agricultural work," to wit, the work of one man in two days or of two men in one day.

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182 On the contrary, what is striking in the Atlas is a prodigious organization. A discordance is even manifest between the social rhythms almost perfect, or postulating perfection, which preside over the division, and the mediocrity of the material, such as the tools. The nice equilibrium, the consummate science of the distribution contrast with the precariousness of this whole hydraulic system. The disproportion between the social constructions and the material techniques bursts forth. It surprises all the more the "European" or the "modern," whose analysis generally overlooks the meticulous harmony of the former. Thus the prestigious work by Brunhes nowhere discloses, in the section that he devotes to the Maghreb, collective modalities in the administration of the water (2).

2. Op. laud., pp. 73, 251. Is it not significant that, inversely to the preoccupations of the

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/footnote 1 continued/ completely any reference to organization by ikhs. For the Algerian S., I found valuable notes in D. Moulis, L'eau dans les oasis sahariennes (organisation hydraulique, régime juridique) /Water in the Saharan oases (hydraulic organization, juridical regime)/, 1927, where one will note suggestive details on the unending conflicts -- conflicts of the blind and the deaf -- between a legalist regulation and the customary reality in the Algerian S. in the course of the nineteenth century.

121 and a total module which, for the Seksawa, does not appear to
182 exceed 250 ls. for several hundred kilometers of séguia and some twelve thousand inhabitants point to authenticity or, on the contrary, indicate the effects of history?

Modes and Manurings

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Tillage differs from the bottom to the top of the mountains and by tools and by modes.

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First, by the tools. The hoe, agelzim, plays an increasingly larger role from downstream to upstream. Its domain is horticulture, the intercalary modes, and in that case parcels too numerous to permit the evolutions of the swing plow. At But wân, it intervenes only as an instrument of finicky work on the edges, or else in places where the plow, coming and going, is obliged to leave certain corners in order to turn. In a. Mh'nd, on the contrary, it is the required complement of the plow, so that the tillage is usually done by two together, one holding the stilt, the other the tool in hand.

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In Bas /Lower/ Seksawa, the classic harnessing of two beasts, zzuja, is used. But in the montagnard domain, there is no more than one beast, /160/ lferd. Yet it is always the man who plows, and never the woman, as is done in the far Sous. A statistical sample gives for each of these two forms of harnessing, zzuja

/161 cont./

241 mt'ra-s are brought about, whose explanation is absolutely not perceived by the peasant.

The requirements of the circulation of water, this whole art of planes, declivities, furrows, develop the agricultural modes for the irrigated. For the dry, on the contrary, they are limited, as everywhere in the rest of Morocco, to a scratching for burying in the ground, well adapted moreover to the nature of many of these fields. Nevertheless, one practices the loosening of the compost by dressing, tkerbil or tneqqich, around the olive trees, but without using a special tool, as is done in Tunisia and even in the Aurés.

242 The imperfection of the system is manifested in particular by the rusticity /162/ of the rotation of crops (1).

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1. Let us compare it, for example, with Roussillon, M. Sorre, Pyrénées méditerranéennes, 1913, p. 304; with Andorra, Brutails, Étude sur la condition des populations rurales du Roussillon au Moyen Age /Study on the condition of the rural populations of Roussillon in the Middle Ages/, 1891, pp. 5 sq.; the Valencian huerta /irrigated region/ and the instructive rose of cultivations figured by Brunhes, op. laud., pp. 56, 65, 66; J. Caro Baroja, Pueblos de España /Pueblos of Spain/, Barcelona, 1946, pp. 401, 423 sq. (interesting bibliography on irrigation).

242 Even the name of what might correspond to it among the advanced agriculturalists of the Gharb or of the Doukkala, the bernicha, is known by only a small minority. It is to be noted, however, that a piedmont amghar cites in this regard, but in Arabic, a disabused axiom: lberminch ih'iyyed t'innich, t'innich ma idir lberminch, "rotation would eliminate poverty: but poverty is incapable of putting it to work." The lack of available

242 /162 cont./
space excludes fallow land in the irrigated. But it is practiced in the dry, in a system of ample and loose rotation, being combined with clearing and burning. Adage: ad assiki ij'ji, "fallow land" /Fr. jachère/, or rather, "untilled land /Fr. friche/ enriches."

Generally, two campaigns are combined in one. To the extent at least that water resources let one anticipate the success of a spring sowing, it is maize that follows barley on the same parcel. Or even the turnip, cultivated on a large scale. One can only compare the mediocrity of this binary method with the crop rotations of five, six, or seven terms, where barley and maize are included with the green bean and tobacco, in similarly montagnard milieus, like the Mediterranean Pyrenees. One will see to what point the scale of crops is poor or has become impoverished in Seksawa. As for the blocking of two campaigns into one, it is supposed to proceed from the exiguity of available land. Far better, one draws from it glory, and system. Nothing is as good, one says, as "maize under sheaf," asengar n-ddu tadla, that is, that sown even before the removal of the loose sheaves. It is true that one thinks that fertilizer will mend everything. Two larger sectors, such as Agersili and a. Mh'nd, hardly practice a movement by biennial soles. But the problem is doubtless not reduced to that of usable space. In the approaches to the plain, at Bul'wān, for example, there is similarly a superposition of maize on barley, without the excuse of the exiguity. The rotation practiced at Agersili and in a. Mh'nd, and only there, seems to respond to an ensemble of conditions, among them a character of plenitude and of integrity of the montagnard system, rather than to an agronomic conception.

241 However that may be, the exhaustion resulting from this exploitation without respite is combated by the fertilizer. Manure and water are the two /163/ great remedies, object of a passionate care, of an attention without relaxation, and of an administration without measure. One deems that will remedy all the misfortunes of the milieu, aggravated by the defects of the method. Universal expedients. The fertilizing of the soil in Seksawa is a rational practice, and the advantage that results from it evaluated in terms

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241 of mercantile economy. The case is all the more striking be-
 441 cause, in the old rural order, a number of things are removed
 237 from commerce: milk, for example, which is never sold, and
 straw, which is carelessly left on the fields. But the animal ma-
 (675) nure not only forms the tacit counterpart of the pacts of trans-
 humance or of common pasturage, but can even give rise to
 ciphered dealings.

[692] These particularities appear in full light in an arbitral de-
 cision of the fqih Belwâh', of the Bas /Lower/ Demsira, a magis-
 trate whose montagnard appurtenances (he was born in the wild
 valley of the a. Mh'nd u Musa, which the Bwibaun separates
 from our a. Lh'sen) render very revealing judgments of the view
 of a milieu intent on compromising between the law and the an-
 cestral custom.

691 It is a matter of litigation between a sâkin, "a precarious
 692 resident," and the master of the house, who suddenly asks him
 237 for a rent of equivalence. The other one retorts by demanding
 427 the price of the manure of his beasts. The fqih, by dint of cita-
 tions from Amal, came to establish that the first demand was
 unjustified, and the second one justified. He knowingly refers to
 the rural custom, which does not recognize rents for this kind of
 installation: without doubt (and although this is unavowed) be-
 cause such pacts depend upon the clientele and thus contain a
 deep antinomy with the contractual law. On the other hand, it
 is not at all the same for animal manure: this is a commodity,
 which comes to the owner of the animals and, on the other hand,
 cannot enter in as a gracious counterpart of hospitality.

237 Such a case in point gives a measure of the importance that
 241 fertilizer assumes in this system. The great suppleness, if I may
 • (191) venture to say it, of the European peasant economy, to wit, the
 correlation between livestock breeding and cultivation, is thus
 found again here, evident and calculable. The accumulation of
 (342) the manure in the stable, agrur, often arranged on the ground
 floor of the house, its handling, and its being placed in piles be-
 fore the tillage of autumn and spring, its dispersion on the field:
 so many practices to which the high-valley cultivator devotes

234/166 cont./ Milk is never
[262] consumed directly; a prejudice, maintained by the women, is opposed to it, with the avowed goal of turning it all into butter. The preservation of this commodity, subjected to salting and melting, is indefinite; it is passed off as improving with age, just like wine. Certainly our pastoral societies extend these resources by a substantial gamut of cheeses, which is not known here. A serious gap; it is hardly the case, in the course of the high pasturage, that the shepherds make more or less clandestinely, by adding to the milk the juice of the fig or that of certain plants, what they call tak^wmmart (1).

- [191] 1. This is the same name that the Ahaggar dialect gives it. The Touareg /Tuareg/ know and utilize the hardened cheese, capable of being carried and pounded.

232 The procedure is retarded, not only in relation to ours, of course,
233 but even in relation to those of the Arab transhumants of North
[191] Africa or of the Touareg /Tuareg/. Besides, although it is not ignorant of a barbarous method of castration, native technique incurs criticism by its blind confidence in biological increase, subject to such terrible hazards. The goat, the sheep, and, to a much lesser degree, the bovine have assumed a monetary value, symbolic in a way, and their multiplication is not regulated according to either the possibilities of pasturage or the climatic
[171] incertitude. Another general trait in the Maghreb.

These are serious weaknesses. But the coherence and the care outweigh this for the breeder, both in relation to the other divisions of his economy and in relation to the breeders of the plain.

245 Opposite to this, the precariousness of the tree.

Almond trees, olive trees, and walnut trees prosper or perish without the work that would be suitable for them. Naturally, they participate, like all other crops, in the preoccupation with water. One notices, for example, the almond trees having fallen to a zone higher than the irrigated, the care with which they are often placed against a supporting wall of dry stones in order to gather in

245 /167 cont./

[178] industry, notably at Ikis. But one could think that the present monotony of species is a recent trait and that their variety was greater in former times. In any case, several indications of this exist in sectors which other traits permit one to consider as having safeguarded better an ancient originality: thus, the I. Geryun and Sekrat. In I. Geryun one finds in open space the shoots of ancient apple trees, lh'lu, and cherry trees, asemlal.

Thus a lively contrast sets the tree, which grows itself, in opposition to the field, which is made. Whence, in a society with rural, yet firm techniques, a relative and paradoxical disgrace of the arboriculture. The latter is entrusted to fate, whose steps, represented by the drought which shrivels the fruit, the fog which develops the parasites, the wind which makes the flowers fall, and the insect, which God alone knows, escape the action of man. Having reached /168/ such a degree of agricultural quietism, the montagnard will plant no more: for the olive tree, the suckers will take it upon themselves to grow; for the almond tree, it has proliferated once and for all beyond any possibility of maintenance. Generally, the effort of planting is a matter of the great ancestors. Thus with these beautiful squares of olive trees, which surround intercalary crops, as one sees at Taqennurt, in the same style as in all of the Moroccan South. Who planted all that? Mystery. Some speak of Andalous /Andalusia/ for the olive tree, just as any monumental ruin makes one think of the mythical Portuguese. The extreme case is that of the argan tree; to tell the truth, having taken refuge far to the W., it no longer affects our sector. But what a confirmation to what has just been said in the native legend, according to which this tree cannot be replanted! In contrast to the tree, the field, it, in its very material, this earth fashioned into tiers, requiring water and fertilizer, proceeds from a untiring desire. Tree given, field constructed.

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[171] While for the Mediterranean peasant the tree is individual -- to the point that in Kabylie /Kabylia/ the ownership of a branch is divided among several -- here the usufruct includes an initial share of indivision, and there is a community harvest. Of course,

/171 cont./

- 121 /footnote 3 continued/ géographie humaine,
1922, p. 105), are preponderant. Cf. op. cit.,
pp. 108 sq. That implies varieties and in-
equalities of level.

For the dialogue between natural milieu and human milieu does not always end in agreement. There can be discordance, mutual prejudice. All rural economy amounts to a certain type of collaboration between man and plant associations. To judge it, it is necessary to define the effects of this collaboration on each of the partners. In the most favorable case, progress of the group /172/ on one hand, increase in biogeographical potential on the other mark the success of the type; mediocrity or retreat of the former, decline of the latter express, on the contrary, failure. But things are rarely so contrasted. Generally, an equilibrium more or less fertile, more or less ruinous, is established between the two terms.

- 121 But here we are in the Old World, bordering the oldest clas-
182 sical history, of which our Maghrebis are the frontiersmen. They
171 are late with a revolution, the industrial revolution. But neither
do their techniques present any radical difference from those of
the Mediterranean montagnards, the Andorrans, for example (1),

182 1. We choose this example not only as a case
171 "of montagnard analogy," but also because
121 the careful studies of Brutails, which we cite
114 from time to time, permit comparison up to the
matter of custom.

In the Roussillon Middle Ages the kitchen garden exists. But sometimes the gardens are all grouped in one quarter called horta (J. -A. Brutails, Etude sur la condition des populations rurales du Roussillon au Moyen Age /Study of the condition of the rural populations of Roussillon in the Middle Ages/, 1891, p. 20). Cf. ibid., pp. 17 sq., the former preponderance of barley (with rye and millet, as here) in

/172 cont./

/footnote 1 continued/ victual cultivation. Other "archaic" Mediterranean traits might interest one in a comparison with our milieu: M. Sorre, Les Pyrénées méditerranéennes, the insufficiency of hoed crops, being reduced to the bean in Ampurdan (p. 240), certain inadaptations (p. 205), etc.

To come back to North Africa, it is necessary to note a great difference between the formula of the Haut Atlas /High Atlas/ and that of the Kabylie /Kabyllia/. The Kabyle has a kitchen garden: these thimizar, "close by the habitations" (Hanoteau and Letourneux, La Kabylie et les coutumes kabyles, 1872 ed., t. I, p. 414, and also p. 422, where an interesting distinction from the "irrigated vegetable gardens," placed very far from the village, is introduced). Is the term tamazirt to be compared with "manure," amazir, and should it be translated strictly as "land likely to be manured"? This is what would be conveyed by the Arabic translation that the jurists of the Sous give for it, because of a pedantic pun, one might say: ad-dimna. However that may be, E. Laoust observes, Siwa, 1932, p. 274, that in the general sense of "country" the Berbère /Berber/ world is divided into two zones: tamart for the eastern and Zénète dialects of the N., tamazirt for the Çanhâja and Maçmûda.

nor does the profusion of rites lock them into a material inertia, like certain black peoples. Then on what bases is one to judge their system? (2).

2. A consultation with the best agronomists convinces us that up to now this question has never been the object of theoretical developments, at least for North Africa. On a general plane, cf.

/172 cont./

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/ footnote 2 continued/ E. de Martonne, Traité de géographie physique /Treatise on physical geography/. t. III, 5th ed., 1932, Biogeography, pp. 1245 sq., and especially M. Cépède, Du prix de revient au produit net en agriculture /From the cost price to the net product in agriculture/, 1946, pp. 347 sq. "How to judge a system of cultivation?" The equation proposed evidently does not take into account the values attached subjectively by the milieu to such and such production. The phytosociological notion of climax thus has some vigorous moral components.

One will be reduced to comparing them with the data established by the observation of a single sector; their hierarchy in the native system itself will offer the least uncertain criteria. In the Maghrebi studies an abstraction of the interpretations and /173/ elaborations of the Maghrebi man has too often been made. It will have been a constant theme of our research to restore them to their true place. And here they offer us a precious value judgment: their preference for livestock breeding.

233

These ancient sedentary ones, these patient villagers are above all shepherds (1).

• (171)

1. In another montagnard milieu, although completely different, the French Alps, livestock has been "the very principle of Alpine life" (Arbos, cited by R. Blanchard, Les Alpes françaises, 1925, p. 50). Pastoral alternations have formed the oldest basis of the habitat (*ibid.*, p. 90). Cf. in this sense J. Blache, L'homme et la montagne /Man and the mountain/, 1933, pp. 13 sq.

[433] The flock clothes, nourishes, heats the house, and, with its manure, remakes the soils. It occupies the major position in all this

233 /173 cont./

182 The flock expresses a living equilibrium between man and country. From which arises the fact that it is endowed with moral values, and probably ritual ones.

312 Secondly, the native techniques are concerned with irrigation. But there, as has been seen, they depend on collection rather than hydraulic creation. The energy and the shrewdness of the system for collecting the wild waters, directing them, and administering them fail and resign before any attempt tried in order to make new resources appear. It is not the lack of success in this /174/ difficult domain that should strike us here, but the relative inferiority that is revealed by it in relation to the art that the same people manifest in leading the precious liquid for some distance and according to tactics whose success astonishes us. This art of circulation carried to incredible lengths becomes no more than inertia and inconstancy in the creation.

245

As for the fruit tree (1),

• (171)

1. Vidal, Principes ..., 1922, p. 83, sees an old Mediterranean idea in the primacy of shrubby cultivations. But he sees just as profoundly an even more archaic type in the arboriculture in the dry, which corresponds here to the almond tree, to the carob tree.

the native poorly succeeds in dissociating it from the forest. Certain species, which come by themselves, or are considered such, put one on the wrong scent. The general antiquity of the planting, the irregularity resulting from unnamed ailments or parasites, from the water, the wind, from chance, or from the favor of occult powers make arboriculture, at least in what concerns the walnut, almond, and especially the carob, a resource as little constructed as that of the forest. It is not the same for the olive tree, which here, as elsewhere on the Mediterranean periphery, has its civic and almost moral value. But if one compares its techniques, the tools utilized, to what they are elsewhere, in the Tunisian Sahel, for example, the same impression of deficiency results for the Atlas.

/174 cont./

233 Primacy of livestock breeding, arboriculture of gathering.
241 irrigation that is a collection and administration rather than a
182 hydraulic one: the important fact is the hierarchy according to
which the system is conceived. It is remarkable that these
archaic peasant societies, the most authentically sedentary of
all the Maghreb, the most obstinately stuck to the soil, and in
which we sometimes seek the vestige of what in other epochs
could have been a rural life more widely master of the North
African plains, are concerned above all with the flock and its
periodic rhythms. This creator of soils, this subtle administrator
of water, is a routine irrigator, mediocre cereal-cultivator,
evasive arboriculturalist, an even worse market-gardener. By a
kind of paradox, his technicality, which asserts itself fully in the
difficult problems of the constitution of the soil and the distribu-
tion of the water, slackens in putting to work the resources thus
released. It asserts itself, one might say, in inverse proportion to
a logic of adding value.

121 Can one try to explain this pastoral primacy? It is known
171 that, lost in the darkness of time, even in the Europe of the open
[233] field /the words in italics are in English in the original source/,
it is a phenomenon of this sort that would provide the explanation
for rural structures still characteristic. In the case with which we
/175/ are concerned is it then simple prehistoric survival? Such
an explanation poses more problems than it resolves. We shall not
stop there. Similarly, would the problem be advanced by invok-
ing the existence of a montagnard character, to relate it to traits
of the same genre observable in the Alps and Pyrenees? In this
case, it is no longer by an excess of hypothesis, but by too much
modesty that the answer would be deficient. An explanation
more appropriate for the milieu studied would attribute the con-
trasts of this peasantry to its hesitation between Mediterranean
traits, preserved by the altitude, and African desert influences
which press in on it from all sides (1).

1. Another "Berbère" /Berber/ montagnard milieu, that of the Ahaggar, likewise

121 /175 cont./
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/footnote 1 continued/ accumulates Mediter-
ranean traits at high altitudes, and frankly
tropical traits lower. This dissociation of the
plant milieu obviously implies a difficult and
divided economy, and postulates the historical
event.

243 Although the effort of the men has constantly conspired with the
first of the two terms, the second is revealed perhaps by some of
the traits that surprise the observer. As one sees, we are exclud-
ing, as even more hypothetical, the objections that the agron-
omy of the manuals might inspire. There is nothing more
arbitrary -- or premature -- than to try to evaluate, in a milieu
as little deciphered by modern experimentation, the yield of
such-and-such a practice. The so-striking paradox of these lands
sown with barley or maize in irrigated tiers -- a cereal cultiva-
tion in flower pots -- is doubtlessly explained by history. It is a
trait of geographical repression. And, besides, barley is the least
demanding of the large-scale cereals, not only in module of water,
but in the annual distribution of this module. Its choice, sup-
posing it deliberate, would have nothing irrational in it. Barley
[242] has the shortest cycle, which agrees very well with the necessity,
imposed by the lack of space, to force two campaigns into one on
the same soil. Finally, the deficit in barley, that is, in "bread,"
[182] is the fright that everyone tries to avert more or less, without ever
succeeding completely. The love of cereals is thus not only
alimentary foresight. It is also a social precaution, tool of
equality.

182 Unfortunately, the vulnerability of the native equilibrium is
171 great (2).

2. The modern balance of a region like that
of the French Alps is the combined resultant of
a better opening to exchanges, hence elimina-
tion of the archaic primacy of cereals, of a re-
ciprocal arrangement of agriculture and livestock

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/175 cont./

/footnote 2 continued/ breeding, of the field and meadow, and finally of industrialization. Cf. R. Blanchard, Les Alpes françaises, 1925, p. 52.

This last factor reacts even on the use of the geological givens: thus it is that our Cantal knows an industry of enameled lava, pozzuolanas, /this footnote is continued on the next page in the original source/ pumice powder, phonolites, prismatic basalt, kieselguhr, and even volcanic sands. In other French mountains, it is in the direction of a class of artisans (clockmaking, cooperage, turner's shop, forge) that the populations seek resources complementary to the agricultural activity. Cf. the very interesting collection of communications made at the 1^{er} Congrès national de la Vie rurale en Montagne /First National Congress on Rural Mountain Life/, Paris, March, 1952. And also, for the Pyrenean milieu, whose comparison with the Atlas milieu would not be absurd, the collection of the Annals de la Fédération Pyrénéenne d'économie montagnarde (Toulouse), the consultation of which was valuable for us.

178 It withstands neither war nor peace. The /176/ demographic
182 thrust and the expansion of the flocks, the first resulting from the advances of public hygiene, the second, from increased security in the exercise of civil rights, are in the process of ruining the country. Deforestation has had a role over the lapse of time embraced by a man's memory. The solution is certainly neither in the coercion of the flock nor in Malthusianism. It is in the pursuit of a new equilibrium. Another blemish, no less incontestable, in the traditional economy is its monotony. What poverty of these
243 soles, reduced to barley and maize! It is, if one may say it, a
182 monoculture with two terms. The absurdity of such a combination of words renders well the depressing and ultimately ruinous effect of the system. It is not impossible that it imparts to all local life a contagious feeling of boredom and almost of despair.

[Mez'ud'a]

312 /224 cont./
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analogies which would come out false, in view of the stage of unfolding and the personal genre of the Mez'ud'a.

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Let us moreover hail in passing these original developments which not only illustrate the vitality of each group, when it is not struck by decadence, or external troubles, but the liaison of this vitality with particular techniques. The latter are all centered, as Taine would have said, on a "master idea" of the group. Thus, they occasionally reach the consciousness not only of the experts, but of the common citizens.

128

Perhaps one now has the right to systematize some notes, only the most striking of which have been recorded above, but which one could multiply indefinitely, if one did not fear making the enumeration excessively fastidious. But would this indeed be rash? Would it not be necessary first to continue the probings over the whole extent of the Chleuh /Shluh/ world, indeed, more broadly, the Berbère /Berber/ world? We were not able to do it directly, but oral information confirms that the phenomena observed here are found at the very least on the periphery of the tribes of Imintanout, from the Gedmiwa to the Aghbar and to the Idaw Mh'mud. On the other hand, it is superfluous to say that the minutiae of such analyses, involving the twin call on the toponymy, the parcellary topography, and the morphology of the groups, have hardly tempted researchers in the rest of the Maghreb (1).

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1. In any case, it would not appear without interest that at the other end of North Africa, in the Aurès, the opportunities for direct investigation have permitted us to find it indeed lively.

A striking trait of the western Aurès is the parallelism of the two great valleys of the Wād 'Abdi and the Wād Labyod', which constitute two streets of peopling. Life stretches out along these natural paths, in a roughly N.E.-S.W. orientation. Thus it is with the two great rival

/224 cont./

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/footnote 1 continued/ tribes, the Ud ^cAbdi and the Ud Daud, now called Tuaba. Each of their villages is surrounded by a perimeter of careful horticulture. One might thus believe that the distribution of land corresponds to this compartmentalization. Not at all.

Toward the end of the nineteenth century, the operations of the Sénatus Consulte, seeing to breaking up the old tribal entities into "commune-douars," which offered sufficient guarantees of human and economic homogeneity, established vast confusions of habitat and of property in the Aurès. The description that the commissioners setting the boundaries give of it leaves no doubt in this respect. In the Wād Labyod', the 5 traditional subdivisions of the Ud Daud interlace their dependencies all along 74 kilometers of valley. Certain villages belong at the same time to two, three, indeed even simultaneously to the totality of these "sheikates." With the exception of Menāfa, the 14 subgroups of the Ud ^cAbdi are similarly interlaced. The plain of Nerdī has dispersed on it a veritable sampling of ownership. More to the S., behind the great barrier /this footnote is continued on the next page in the original source/ of the Zalato, the Beni bu Slimān present "entangled fractions," the officer tells us, "like crops, courses, and even villages." That over 12,000 hectares. This confusion is all the more remarkable because the use of "granary-fortresses," aqli^ct, plur. iqli^cin, corresponds here to the personality of each agnatic group rather than to that of the village or of the tribe.

Thus it seems that this discontinuity of ground, this group interlacing are the rule in the Aurès and

/224 cont./

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/footnote 1 continued/ express an exigency of internal equilibrium. But let us take this, isolated rapprochement only for what it would be: merely the bait for more extended controls. (Cf. Archives of the Sénatus Consulte at Aris.)

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These cross-checkings /225/ thus remain to be done. Only they will be able to infirm or confirm, and consequently to endow with generality or not, the structural law that it is believed has been uncovered here.

121

The "Parcellary Orchestration" (1)

[114]

1. This expression is taken up again, while apologizing for its paradoxical aspect, from the article of 1948, where we set forth our first verifications.

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Let us return to the Seksawa of the high valleys.

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Their whole life is marked by a very precise division bearing on three orders of facts. The ground is divided into individualized quarters. Time is scanned by the succession of "turns" organized for irrigation, and the latter is not only an essential economic base, but a collective symbol, fixing the most vehement aspirations of these rural people. The group is divided into ikhs-s, themselves distributed in conjugal families, but preserving a role, or rather assuming attributions. There prevails among these three orders of things an exact correspondence.

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[671]

[421]

Easily decipherable in the present state, and despite degradations and mutations, it inspires and maintains the deportment of the montagnard, for whom it is at the same time an inveterate organization, guarantee of persistence, and ideal of legitimacy. The local land law in this part of the Atlas has no aim other than

/226 cont./

423 A whole "parcellary orchestration" is thus glimpsed here,
312 each ikhs putting at the same time in all the quarters of the
613 ground its fields, which, the day having come, the exact time-switch of the turns for water animates. Scansion of agricultural time in turns for water, internal equilibrium of the group in agnatic subgroups, classification imposed by the understanding for the ground: these three elements are combined in a coherent system.

[829] What origin to ascribe to such a perfect arrangement? The user himself does not imagine the cause of it. His spontaneous gesture, when one interrogates him on this law, is to point with his finger at the interlacing of the cane in the mat where he is seated: each sprig corresponds to a parcel. What he has an intuition of, in fact, is an ensemble linked by inextricable solidarities. But that is a feeling. Research must be more demanding.

121 The first explanation that would come to mind is that of
(171) these divisions of inheritance which, in two milieus paradoxically far apart, end in the open field /the words in italics are in English in the original source/ and the strip fields of the European North, the muchâ^c of Syria, samplings of the same type. But
619 what creates the difficulty, and at the same time the interest of
634 the Haut-Atlasic example, is that the taqbilt is not in any way an enlarged, even fictive, family. The social link, indeed avowed and conscious, does not at all consist here in the ramification of a /227/ family stock. If, within the ikhs, the attachment of the different "foyers," takatîn, to one another is genealogical and
(613) amenable to the successoral law, it is completely different for
(592) the attachment of the ikhs-s between themselves within the group: their connection, which it will be necessary to define more closely, is entirely different. It is necessary to look elsewhere than in divisions of inheritance for the source of an agrarian order.

121 An original collectivism, which might more or less maintain itself in the Atlas? The hypothesis is tempting. To tell the truth,
(423) it calls for a judgment on the age and the character of these societies. On the other hand, it runs counter to what we know

423 /230 cont./
613 approaches the plain or as the system is worn away. But perhaps
184 even more in terms of the geographical breadth of the phenomena studied. Thus analysis leads here to the idea of variations in the space, to which we shall have to return.

• 171 The Coefficient of Value (1)

1. H. Lhote, Comment campent les Touareg /How the Tuareg camp/, 1947, p. 21, notes the clear division of the course among the Saharan Touareg, contrasting with its promiscuous character among the Sudanese Touareg.

312 In many cases, the division of the water by turns intervenes
423 only in a period of low water. Another method is established when the waters are high. The distinction of these two rhythms of abundance or of low water is, moreover, a constant motif. It
[177] governs the relations between Seksawa and downstream beneficiaries, Dwiran and Ud Besseba^c. Correlatively, scarcity brings into play, this would be in the matter of pasturage, narrow divisions. Thus, in Ibuban, at Tugg Lkheyr and at Timskert, the compression of the villages by the arête of the Ameznir, where the territory of the a. Mh'and begins, entails this extraordinary thing: the division of the pasturage by "cairns," lkraker.

829 Certainly, other causes can intervene. Thus this condensation /231/ of toponymy and also of human interests and work, even of affectivity, which characterize, in relation to the vast extent of mountain spaces, the tillage ground and its heart: the irrigated ground. In all the cases, a common element prevails: that of the value /Fr. prix/ attached by these men to such and such of their goods: land for cultivation, water, or pasture, in terms of its narrowness, its rarity, or other elements more obscure for us. This perspective of rarity is, in relation to the great arable stretches of plain, such as in Chaouia or in Tadla, very characteristic of the Atlas. Another consequence of the evolution

/231 cont./

829 which has gathered on an exiguous land a humanity with solid virtues, with no less solid appetites. But other considerations can come into play. For example, the sentimental hierarchy which puts in the first rank the ensemble constituted by the village and its irrigations. This ensemble is instinctively considered as the replica of the group itself, linked to it by strict correspondences, verifiable on the echelon of the individual, and inspired by a distributive ethic.

423 From this angle, the parcellary orchestration would appear as a law of equalization of chances, with a view to the use of the water or of the soil. It would be the rectification imposed by man on the precariousness of the milieu. The infinite parceling-out of the lands and their distribution by grounds reflect in certain respects a tendency to put each member of the collectivity in possession of similar means. Also this division of the risks increases as the value attributed to the soil is diversified, individualized, fractioned into units almost personal -- or possessing at the very least a personality, that of the name.

• 171 As linked as it may be to montagnard impoverishment, such comportment is not without analogy in the rest of the Maghreb. The intense vitality of the agricultural association has been justly defined as a means of struggling against the hazards of the milieu (1).

1. That is a central motif of the thesis of L. Milliot, L'association agricole chez les Musulmans du Maghreb /Agricultural association among the Mussulmans of the Maghreb/, 1911.

[613] Thus the equalization of the chances is sought, not as here, in
[571] an internal equilibrium among ikhs-s, but in economic solidarity
[219] among individuals. Not in the statutory relations among sub-
[121] groups in the taqbilt, but in the multiplication of contractual
[171] bonds. Beneath these differences of form disguising a similitude of objective, doubtlessly opens a fruitful path of comparison between North African societies.

229 /242 cont./
671 ordered by great masses: the Chleuh /Shluh/ bloc is one of these masses.

779 On the first problem, that of the acceptance of eastern
175 norms, we lack sufficiently precise historical data. It is in fact a matter of an old evolution of at least a millennium, whose point of departure and principal stages escape us. At the most we are thereupon reduced to hypotheses on which one could not legitimately base the account. Therefore, it will be best to have recourse to observations from the present and from the immediate past.

779 Our juridical expansion in North Africa collided with that of
another system, already anciently established -- and also which recovers with time an aggressive vigor -- the Mussulman law, or fiqh. The stake of the competition was and still is to provide the decisive part in the organization of the social relations and in the ethics of the Maghrebi man. But the rivals are not grappling only with each other. They have found before them, beneath them, more or less intact or degraded, more or less compact or scattered, the vestiges of indigenous laws, which it is conventional to put together under the generic appellation of "Berbère /Berber/ custom."

671 This is to say that this term of custom is not taken here in the strict sense that the jurists sometimes give it (2).

[114] 2. Cf. the Romano-canonical theory of custom and the masterly discussion of it done by Ed. Lambert, La fonction du droit civil comparé /The function of comparative civil law/, 1920, pp. 113 sq.

In many cases, in fact, this "custom" presents characteristics of rational cohesion, legislated expression, indeed even written codification, which are the very ones of the law. In fact, "custom," for the Maghreb, is the law of the predecessor and competitor. If the Mussulman cadi suppresses, /243/ in the domain of a custom that he will never recognize as normative.

• [17]

/243 cont./

671 the whole ensemble of local law of an inspiration outside of or
171 prior to Islam, the French magistrates of Algeria consider as a
body of customs the ensemble of local laws, of Islamic origin or
not, in contrast to the Civil Code. Did not one of our sociolo-
gists some twenty years ago entitle a work, and not one of the
least ones: Loi française et coutume indigène en Algérie /French
law and native custom in Algeria/ (1)?

1. R. Maunier, 1932, a book moreover
picturesque and intuitive.

A second qualification is to be made concerning the term of
"Berbère" /Berber/. The ubiquity of this local law, more or less
even, makes very difficult its qualification as Arab or Berbère.
The fact is that its most coherent expression appears especially in
Berbérophone sectors, forming by that also a figure of reserves or
of archeological evidence. Sectors which have constituted, for
the Arabs as well as for us, both the most expressive sign and the
extreme case of an autochthonous genius. A quite superficial
view.

779 For Mussulman orthodoxy, the existence of the Berbères /Ber-
171 bers/, and, with all the more reason, of a Berbère law, is an
intolerable scandal. W. Marçais has acted justly to observe the
very particular malevolence with which the geographer al-Yâqût
stigmatizes, in the note that his dictionary devotes to them, "the
singularity and the excess" of this race, h'ida wa t'aych (2).

2. Yâqût, Mu^cjam (1224), Wustenfeld ed.,
1870, in the art. barbar., t. I, pp. 540 sq.
He is struck by some aberrant aspects:
ah'wâl 'ajiba wa iqt'ilâh'ât ghariba. W.
Marçais observed that the entire note is of
an unusual violence.

171 The last word, still living in dialectal Arabic, recovers the an-
cient notion hybris, "immoderation." Now many Eastern Bedouins

/243 cont./

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are governed by a customary law, which, among the sedentary Yemenites, for example, is stated even in codifications bearing the singular name of t'aghût (3).

3. Ettore Rossi, "Il diritto consuetudinario delle tribù arabe del Yemen /The consuetudinary law of the Arab tribe of the Yemen/", Rivista degli Studi orientali, fasc. I-IV, 1938, describes a whole patriarchal and chivalrous society where interdictions protect the guest, the suppliant, the client, the refugee, the traveling companion, and up to the namesake. There are even some dissertations on the man^C, an idea related to the taboo. Some problems, such as that of the disinheriting of the woman, are posed simultaneously for this society and for those of North Africa, in relation to which it offers, moreover, a more archaic shading. The homogeneity of the problems and of the solution that is applied to them is nonetheless suggestive. After the description, already old, of P. Jaussen, E. Rossi's article constitutes a new and considerable contribution to the knowledge of an Arab customary law.

671 That way, even the juridical originality of the Moroccan mountains, to take an extreme case, could only, in the eyes of the
779 orthodoxy, be absorbed in this theme of survivals or rural deviations, of this "eternal Bedouin," both nightmare and reason for
171 being of the proselytism of the towns.

/244/ Certain traits of the Mussulman juridical technique must have contributed enormously to this unitary confusion (1).

1. On all this, see J. Berque, tr. of al-Wazzâni, Les Nawâzil al-Muzâra^{-Ca}

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/244 cont./

/footnote 1 continued/ du Mi^cya^r /The
Nawāzil al-Muzāra-^{ca} of the Mi^cya^r/.
1940, pp 27 sq., and Essai sur la méthode
juridique maghrébine /Essay on the Maghrebi
juridical method/, 1944, pp. 33 sq.

First the concept of d'arūra, "necessity," and "law-making necessity," which allows absorbing, without derogation of principle, all resistant and aberrant facts, because one cannot master them, and without there being any question of penetrating their shell. Then, in the same sense, this Malekite opportunism imposing in the name of the "social good," maḡlah'a, the acceptance of the illicit: but momentary, precarious and almost haughty. Finally the immoderate role of the presumptions in the penal and civil law has introduced, under the appellations of Corf and of Cāda, "usage," a mass of local institutions, but, it goes without saying, without recognition of their character of internal obligation.

Consequently, the negation both instinctive and rational of the Berbère /Berber/ law by Islam is accompanied, in the juridical technique, by multiple means of absorbing it without admitting it. And not only without concession of legitimacy, but without an attempt at analysis. Consequently the Maghrebi reality has maintained the fiqh as an immense stock of facts without justification or depth.

For the strict orthodoxy, there is no problem of customary law.

000 Quite the contrary, the European exegesis, after long gropings in Algeria, and especially under the influence of institutional spontaneity, which it discovered in Kabylie /Kabylia/, then in Morocco, has let itself be dominated by a realism as unattackable, as long as it rests content with observation of the facts, as it is hazardous when it finds other inspirations. The joy of discovery has perhaps sometimes brought about a belief in a primitivism all the more malleable and assimilable as certain Mediterranean affinities "defended" it against the Orient: from there to the simplistic idea of division, there is only one step, which the system's detractors have not failed to make it cross.

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extreme case. The fatwa /futwa/ of the Idaw Zeddut (2)

2. J. Lafond, Les sources du droit coutumier dans le Sous /The sources of customary law in the Sous/, 1948, p. 18.

in the same region, on the other hand, justifies the application of custom as auxiliary source of the law by reference to the same orthodox norms as a jurisconsult of Fès /Fez/, al-Qādirī, justifying the ^cAmal, this pragmatic law that developed in the urban law courts. But neither al-Qādirī nor the Chleuh /Shluh/ jurists fear the innovation, or at least confess it. Moreover, how would they draw the line between deviation and adaptation? In the Orient, as in Morocco, the classical procedure of judicial subterfuges, al-h'iyyal, has developed an immense thicket of subtleties where the part of the one and of the other is sometimes indiscernible.

One may observe here and there, I believe, that the dosage, moreover diversified, but present everywhere, between religious law and customary norms has sometimes taken relatively conscious and deliberate forms. And, in the same proportion, that takes away this Berbère /Berber/ primitivism, sometimes the object of overly naïve European enthusiasms (3).

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3. Recourse to a criterion of primitivism for classifying the different "Berbère" juridical systems of North Africa seems to us to have excessively marked the rich works of G. Marcy, "Les caractères généraux du droit coutumier berbère /General characteristics of the Berber customary law/," CHEAM, pp. 4 sq., and especially Le droit coutumier Zemmour /Zemmour customary law/, 1949, pp. 360 sq.

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In any case, this is what forms the originality of the Sous and the Mzab (4).

4. On this aspect of Mzabite law, L. Milliot, "Recueil de délibérations des djemâas du Mzab /Collection of deliberations of the djemâas of the Mzab/, " R. E. I., 1930, p. 223.

But everywhere one finds this double character of Islamic option and cantonal conservatism. Whether it is transactional or, more rarely, insurrectional, the local law has always and everywhere reckoned with the fiqh, has set itself in comparison with the fiqh, indeed sometimes has pretended to be absorbed in it, or believed it.

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Islam and Individual Belief

From the innermost subjectivity of the Chleuh /Shluh/, whose Islamic option is profound and ever bursting forth, to the most well-considered social affirmation -- this society will itself Musulman. In its great epochs it sought to be the Mussulman society. We find the Prophet everywhere. It is for this reason that it is so difficult to determine his part: it would not be if it were not total, or, more exactly, if it did not will itself, if it did not feel total. Such in fact must be the lot of a universalist faith. As a permanent appeal to the profession of the Unique, to the imitation of His noble witness, the Messenger of God, as a cultural and ethical system, it inspires and governs the soul of the person and that of the people: it has become an essential trait of the country. It would be a fine subtlety to distinguish in as specific a synthesis the part that, of an order properly institutional and of oriental color, has been, not rejected, but eluded by the societies of the Atlas, or adapted and assimilated by them. Nevertheless, in the realm of the law, one can circumscribe the indigenous legacy and the oriental contribution. Concerning the belief, the

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779 discrimination will be much more delicate and in many respects impossible.

It seems, however, that the progress of Islam is the very one of individual behavior. It asserts itself fully in this extreme case that is sanctity. The communitarian and naturalistic character of the basic rites is naturally further removed from it. Hence the criticism of it that the scholars make. They were not mistaken in denouncing what they called paganism or idolatry: awkward expression of a certain specificity which we would prefer to attribute simply to the vitality of a rural system. Hence, on the other hand, the tendency of the ethnologists to overaccentuate what they believe to be agrarian "magic and religion," whose articulation to a hierarchized ensemble, which is indeed that of a Mussulman society, they do not recognize. Does this mean that, on even the echelon of the jema'a, the Islamic qualification loses in importance what the communitarian play gains? Such an assertion could be upheld only suitably nuanced. First of all, Islam is there in local law, whether it be the inspirer of it or, on the contrary, if I may venture to say it, the driving bolt /Fr. repoussoir/. This will be studied in detail farther on. But Islam reigns equally in the communal house, in this timezgida where the recitation of the Koran punctuates the time of the village and contributes, by periodic feasts, to the most intimate of the collective rites. Finally, it opens up possibilities of escape, felt by each one, and where each vaguely perceives a recourse against the terrible order of /247/ the city: it is true that here one falls back on individual cases.

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● 171 However that may be, in fact it is certain that in the societies of the Atlas the stage of Islam is that of the person rather than of the group. A fundamental difference from what it was traditionally in the Arab Maghreb, where, conforming to its origins, it corresponds above all to the madina life, to the professional and scholarly municipal life, of which Fès /Fez/ constitutes in Morocco the privileged example. Here the city is peasant, and proceeds from structures perhaps autochthonous, in any case far removed from the mercantile urbanism which the oriental

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771 prototype created. And so it will be against them that both the individual and the believer will assert themselves. Hence their course, hence this desire for independence and adventure, and in any case a freshness and a liberty which will confer on their faith a very special nuance. It is this that gives the Berbère /Berber/, as magician, as saint, or confrere of minor order, surprising dispositions, well known, for good or evil, from the Orient itself. The man of the Atlas, and by extension the Maghrebi, becomes the individual par excellence, from the time that he seeks to break away from his cadre.

779 To the people of the Atlas, Islam appears, in certain respects, as an urbanism of cadis, bazaars, hebdomadal sermon, elegance, commercial liberalism, good eating and good talk, but also of pashas and makhzanian jails. And all that is found in Marrakech /Marrekesh/ and Taroudant, non licet omnibus... That is what will confer, by contrast, well-defined traits to the faith of the montagnard shepherd and woodcutter. Their reaction, once escaped from the "rural system," will, of course, be purism. And there will enter a part of what we would call, quite horribly, a class complex. From the confreric adherence to so mixed a content will then escape from time to time the unitary intellectual, breaking off from both the city of the mountains and the city of the plains. In sum, and on the plane of faith, will be discerned, from the base to the summit, the ardent, uncultivated, and savage crowd of villagers, the fanatic adept of the sheik, the purified devotee, and, at the very top in the peaks, these provisional revolutionaries who are the saint and the reformer. For the moment, the variety of the scale stops there.

General Order of This Research

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Thus, at the level (1)

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1. For this idea of successive "niveaux" /levels/ of social reality to which we shall

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ooo infinite art of gaining trust would be necessary in order to collect such testimony suitably. But what fruit the "confession" of the fettered one of the Tamejlocht or of the hoe depositer of Tamd'a Ugenni would be!

114 What to say about customs like the one of the seasonal carnival such as I was able to observe October 7, 1949, at Ikis, an archaic village rising in tiers on the flank of the Tanddri, and which its agadir dominated? Here are some notes taken on the spot.

541 /The following two paragraphs are in small type in the original source./ "In all the Seksawa villages, the first two days of the Aid are taken up with Saturnalia. The skins of sacrificed [292] animals are donned. They are sewed as clown costumes with pantaloons (1).

1. And not as robes, as in the masquerade of the tanners of Fès /Fez/.

[534] and put on by a few agile and resolute chaps. Throughout the day there are parades, exhibitions, playlets, capers, the whole [535] put to rhythm by the tambourin and coming back constantly to the dance, a dance of stamping with scansion on the palms of the hands (2).

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2. The Andalusian zapateado is evoked. Nothing is more curious than to compare, without any preconceived ideas, certain disguises of the Gund'afa, for example, from the fine photographs by Besancenot, and the drawings of masks that Caro Baroja gives in his book Pueblos de España, 1946.

"On this day at Ikis, I am on a terrace overlooking from a height of six floors the bottom of the valley and its small parcels. To the left, the agadir, overwhelmed by the enormous crest of

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541 the Tanddri; to the right and opposite, the brows that separate us from Igersafen. On a terrace, the multicolored swarm of women.

[536] About ten jolly fellows did not spare themselves in gags lasting two hours: scene of the selling of almonds to a Jew; of the cow that could not be milked; of the sacrifice to the santon, with a burlesque procession; of a conjugal dispute, with the simulated death of the wife, resurrection, reconciliation; scene of jealousy; the rages of the little old man. And here is hyperbolic prayers; in Arab sonorities more or less caricatured, the Allah Akbar, in all the tones of mystic élan, of tartufery, etc. It is a veritable commedia dell'arte where one improvises. With success, if one judges by the laughter of the audience. The scene is expected to be prolonged by obscenities and unbridled fantasy. Veritable theatrical sense and extraordinary freedom of spirit. Already personalities having their characters: the birth of tragedy in the most etymological sense of the term."

121 /253/ And undoubtedly we shall not solve the matter of
541 knowing if there truly is seasonal magic here, or whether evolution has not for a long time degraded the meaning of the rite up to its being no more than an advance toward our own carnival (1).

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1. The literature, quite abundant, on the "Berbère /Berber/ carnival" has not solved the problem. Note the quasi identity of the scenes of burlesque comedy described by S. Blamay, Notes d'ethnographie et de linguistique nord-africaines /Notes on North African ethnography, and linguistics/, 1924, pp. 79 sq., for an entirely different milieu. All that one can say is that the custom is not, even in the details, peculiar to the Atlas, any more than it is to the Berbères. As much could be said for almost all that comes out at a certain ethnographical level, more or less preserved according to the regions, but which seems to be common to all of North Africa.

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671 be understood on a level of indistinction or of solidarity between religious and juridical practices. Under that is glimpsed another level, still more profound, and which certain attitudes, certain proceedings reveal.

The Immediate law

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629 /The following paragraph is in small type in the original source./ The oath is the golden settlement, lfgal uwergh, say the a. Lh'sen. It is the sin of men, their obstinacy in lying that have limited its role. In former times a chain hung from the sky to the earth. It sufficed to touch it in taking an oath in order for all to be settled. But one day a debtor of bad faith hid the disputed sum inside a /261/ reed which he had his creditor hold, while he himself, touching the chain, swore that he had paid his debt. The chain immediately ascended to the sky, as punishment for the deception.

629 That is very precisely a myth. It is not because of its coincidence with a scene from Don Quichotte /Don Quixote/ that we cite it, but because of the remarkable distinction that it suggests between a stage of sworn law, with religious character and immediate sanction, and the present stage, which is that of the proceedings. It is also necessary to rectify on two points its interpretation of the first stage, which is perhaps not the most archaic. Gestures, objects with still more immediate juridical value, are disclosed, vestiges undoubtedly, but still quite alive, in the bosom of the present system (1).

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171 1. Nothing abnormal in that on the plane of comparativism. This stage is found in very ancient Roman law, the beginnings of Greek law, the old Israelite law (story of Moses and Jethro). The affair is settled immediately by recourse to the oath, extispicy, auguries, etc. Elements of this state of things

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/footnote 1 continued/ can exist for a very long time, or even rise again under the influence of archaizing conditions (cf. the role of the oath in the constitution and defense of the medieval manse). In the Roman procedure, the sacramentum in rem would also be, according to the original interpretation by H. Lévy-Bruhl, "Sur la laïcisation du droit à Rome /On the laicization of the law in Rome/, " Revue internationale des Droits de l'Antiquité, 1951, pp. 83 sq., "a test to which one can presume that by reason of the redoubtable forces that it unleashes a party would lend himself only if he considers himself quite sure of his right..." But is this not again a rationalist interpretation?

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And, on the other hand, the religious accent that the myth confers upon the oath indeed risks being only an explanatory addition, quite like the formality of the oath itself. What could count in the archaic stage that appears under there is undoubtedly the gesture of touching the chain which "hangs from the sky": it properly establishes communication with the sacred.

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Another remarkable thing, it is not to a matter in litigation that the myth's preferences go. It is to a sort of settlement brought about by the parties themselves, and the essential of which resides in the efficacy of an attitude. Technique of sudden releasing, "golden" technique, technique of "the golden age": that is what the instinctive option, the nostalgia, still discernible under the Seksawa's procedural extremism and the passion for the judiciary joust, come to. Nevertheless this archaizing is also accompanied by a critical reflection. Such ambiguity is not surprising.

Be that as it may, to the course familiar to this study, and which consists in approaching the institution only by its most concrete holds, corresponds something in the very opinion of the subject: this primacy given to the techniques of direct settlement and a fortiori to the purest among them, that of settlement without debate.

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support his allegations by a solemn procedure. "Accept mine or I will accept yours," rd'iyi nghd rd'igh-ak, he says to his partner.

Notice the atmosphere in which this verb rd'a plunges, the root of which, Arabic, but adopted by all the Moroccan dialects, evokes in fact relations anterior to or superior to the strict law.

It is in this way that in the sherifian chancellery a superlative of this root, ard'a, qualifies the "faithful and beloved" vassal. A litigant adopts heartily, rd'a, the sentence, or else accepts a

[152] /263/ witness, unless this should be the opposite. The ar. /Ara-
[154] bic/ Ma rd'a-ch expresses the menacing despair into which iniquity plunges a person, driving him to a serious act: vengeance,
[162] malediction, suicide. As always in such cases, with rare outcroppings of a strongly archaic juridical lexicon, it is not so much an act that the word connotes as an attitude, a state. Corroded reminder of a stage when social relations were expressed as relations of "figure," of "personage," or, let us say, of status.

That undoubtedly accounts for the obscurity in which this agrarian ceremony plunges even now. Obscurity not only to our eyes, but also to the very ones of the actors. The devolution of the oath to one of the two adversaries is not regulated by anything expressible, in any case nothing that would be apt to be confessed by the present users. Doubtlessly it operates by virtue of emotions to which the tone of the words exchanged, the vigor of the cry of the one offended, the latent opinion of the riverains who flock together on the field contribute.

One of the two, then, proclaims that he is indeed at such-and-such a place in his rightful patrimony, aida-n-s. Simultaneously, he places on the contested spot a stone or clod dug from the field (1).

- [171]
1. We observed this practice nearly everywhere in Morocco. Always this unity of the ethnographic foundation!

A certain ambiguity of the interpretation may appear here according to the material of the instrument. The stone in the case at

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423 pointed out in the Maghreb for a long time. In all this there is
629 an ensemble of closely related ideas which surrounds by its total
578 context our oath of boundaries. I might add that this last is of
[171] absolutely universal usage in Morocco, "Arab countries" in-
cluded, and that it seems to have the characteristics of the most
ancient institutional base.

423 On this level, we are fully in the atmosphere of "sworn law."
629 The "oath" acts naturally here as a very ancient mode of creation
of the law. It is it that preserves the veritable ordered dustiness
that, in the ancient equilibrium of the grounds, the infinite mul-
tiplicity of the patrimonial representation typifies. That is in-
deed a remarkable thing, and one that can give an idea of the
most archaic bases of this agrarian life.

Other Juridical Gestures

000 The Seksawa system further knows a certain number of courses
expressing the same genre of attitudes with decisive value.

586 A repudiated wife does not accept the marriage settlement
691 and the acquiesces that the husband has handed over to her. She
makes a bundle of them and, in spite of the resistance of the
chorus, justly disturbed, she "projects" it "to the heart of the
jemâa." Consequently she is considered free of the consequences
which the apprehension of the objects would have implied for her
and which would have meant replevin for her. Quite the contrary,
she henceforth poses as claimant, as suppliant. The jemâa feels
obliged to intervene for her. As most often happens in similar
cases, it is in a reconciliation -- that is, in juridical language,
in a transaction -- that the scandal will end. The frequency of
691 this genre of denouements in the oldest atmosphere of the Magh-
rebi law, and this was on the occasion of litigations brought be-
fore the cadi, has struck all the observers. Paradox, one might
think, in a society so contentious! But it is more instructive to
see here the victorious rise of an old juridical base running
through the modern proceedings. There would be the key to this
procedural anomaly.

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42 exactly, he henceforth assumes the personage of the usurper:
627 itrama, new verb of condition. His interim, one might say, has ended, and the wrong inflicted on the old order by the working of monetary abundance in certain hands. And, by a new significant trait, the point of departure of the restitution depends on the time when the tamuzunt can be inserted in the agricultural calendar (2):

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2. Similarly in old Kabyle law. Cf. L. Milliot, "Le qanoun d'Ighil n-Zekri /The qanoun of Ighil n-Zekri/, " R. al., 1930, p. 247.

if it is after uktuber (Julian October), a new cereal campaign is permitted for the creditor. Other moments foreseen in what concerns arboriculture. One feels in all that instructive interferences between the life of nature, that of the group, and the overt mechanisms for the initiative of the individuals.

[578] The dispossessions resulting either from a fraudulent prolongation of the rahn or from assault are certainly numerous in the Seksawa past. They have as their source inequities in the distribution of capital and power among the families. However that may be, they give rise to a violent ethical reaction. One will see shortly the consequences on the procedure itself. For the moment here is a curious form of it, improperly rigged out in the Mussulman dress of the istir^Câ or "act of reserves" (3).

3. Cf. the act translated and commented upon in J. Berque, "Documents anciens sur la coutume immobilière des Seksawa /Ancient documents on the landed-property customs of the Seksawa/, " R. afr., 1948, p. 369.

Let us now listen to this act of the Idaw Geryun, dating from 1102 Heg.: 1691.

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184 ritual styles. In the case of the allegiance to the Nâçîrî of Tam-grât (2).

2. On the zaouia and the brotherhood, the best study, and the most recent one, is that of G. Drague, Aperçu sur l'histoire religieuse du Maroc /Survey of the religious history of Morocco/, 1950, pp. 185 sq.

their opposition is lighted up, for on the one side the ample radiance of this zaouia is almost entirely identified with confreric affiliation, that is, tends toward individual rather than collective adherence, toward initiatory option rather than the tie of the ground, toward esoterism rather than communal publicity. But these definitions of the Maghrebi confrerism, to the hazardous measure where they go beyond maraboutism, are more ideal than real (3).

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3. Moreover they have been rather the business of the Algerian school: Rinn, Depont and Coppolani, Aug. Berque. The "marabout" is not always opposed to the "brotherhood." The case of the Algerian Rah'māniyya is the most typical in this regard.

In the case of Sidi Ah'med u Musa (4).

4. Cf. Justinard, "Notes sur l'histoire du Sous au XVI^e siècle /Notes on the history of the Sous in the sixteenth century/," Ar. mar., 1933, pp. 5 sq., model of direct, precise, and sensible investigation.

the patron of the Tazerwalt, more of confreric cadre: the allegiance is no less strong, the itineraries vast, the figures vivid.

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begins, the center of which /282/ is Z'init' (1).

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1. I spell correctly with two emphatic accents, even if the emphasis of the t is sufficiently softened to justify apropos the name the etymological pun that one will see. As for the sibilant sound, its emphasis is attested to by the Arabic transcription into d'. This name of Z'init' is strange, like many of these Berbère /Berber/ names, anthroponyms of groups above all, whose unintelligibility and irregularity are striking in contrast to the relative clarity of many names of places or quarters. There are two very different "layers" there.

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These watchers for peril from the plain are santons, of rough visage, but whose frequency clearly marks a denivellation of the sacred. Such as sidi Mh'and and Ah'ormi, this saint of the "asylum" (2).

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2. The translation as "asylum" is certainly derivative. The basic idea is that of the interdiction, which is expressed here by an Arabic root h' r m, rather anciently in order for it to have been able to be "personalized" in a punned name of a saint: this sidi Mh'and and Ah'ormi, this ah'ormi being perceived as a nasab.

sidi Sâid u Moh'ammed, sidi Lghezwani, sidi Ghânem, sidi Ah'med u Mh'and, and a small sanctuary with a strange name, Iz'mawn Iuserran, "the lions of Iuserran," revealer perhaps of some ancient magic defense (3).

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3. The leonine species is often adopted by the Maghrebi saints; W. Marçais, Textes

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/footnote 3 continued/ arabes de
Takrouna /Arabic texts of Takrouna/.
1925, p. 209, n. 6, gives a bibliog-
raphy.

Does that mean that more ancient elements, announcers of a ritual place, were effaced before Lalla Aziza? The fact remains that a similar defense is lacking toward the upstream part. Evidently, the saint is at home in the back country. There one finds only her maqām-s or "mansions," which arouse a completely different order of ideas. First, toward the S.-E., in the former domain of the a. Gasa, an oak at the Tizi Az'allo, between Tagonit and Asstif; then a carob tree, igg, at the place called Tiktīt, "the frontier," in the valley of the asif n-Tghrin; a walnut tree in the ravine of Tannqmt; and another piece of masonry at Rekto. All that on this side of the crest of the Afuzar. Beyond, at Imi y-ighzer n-Aïssa, in the present habitat of the a. Gasa, and at Anzelfi among the a. Gāir, still other mansions. What is striking is that all these hagiological points, if one posts them on a map, go beyond the present perimeter of the Seksawa.

In the valley itself, one notes, as is frequent, between the agglomeration of Z'init' and Tamezgurt, a raised stone, called "limit of Lalla Aziza." It used to mark the border of the asylum in the upstream direction, in a period when it was not reduced to the constructed site. According to current folklore, the people see in it the petrification of a fiancée and her mount, just as they see, in another rock, the metamorphosis of a wicked chief, *amghar yubaddaln rbbi*.

175 More significant are the archeological elements revealable
726 toward the S. - W., that is, in Idma country. One knows that the
727 Idma, more recent immigrants, are the conquerors of the a. Gasa,
[176] and that it is thanks to the saint that they defeated them one
[176] against two. They /283/ took from them, among others, the vil-
[176] lage of Anchkrir. There, an ancient endowment assigns about
[176] forty parcels to Lalla Aziza, the revenue from which she collects
[176] every year in March. Anchkrir is dominated by a high table of
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The Rite

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First, there are, as has been seen, two great sacrifices to Laila Aziza. The one is inserted in the naturist calendar already opened by all the collections of the first fruits, of which it is in a way the culminating act. It is generally called tighersiwin, "the /292/ immolations," and it takes place on the 15th of yulyuz, the "July" of the Julian calendar. The other coincides with the nativity of the Prophet, this Milâd, whose institution in Morocco and systematic generalization by the Mérinides toward the fifteenth century invaded little by little all of North Africa and became the orthodox repository for a multitude of orgiastic rites. At Z'init' the appearance and the meaning of these two manifestations differ notably. Let it be judged.

The feast of yulyuz consists of the sacrifice of bovines processionally offered by Idma, Imt'ddan, a. Musa, a. Mh'and, and sometimes a. Lh'sen and a. H'adduyws.

The beasts are assembled upstream from the tomb, above the cemetery of sidi bu Lqnadel, who would be, one will remember, H'addo, the eponym of the Haut Seksawa. Then the procession
[533] begins to sing a Prophetic litany, doubtlessly intended to furnish the orthodox endorsement of the ceremony. "In your honor, Moh'ammed! It is the Prophet whom we place at our head." This formula is used elsewhere in similar ceremonies; it is heard in any case at Ammem. The crowd arrives at an area equipped as a market on the parvis of the tomb. Each chief slits the throat
[787] of his beast. The victim jumps in movements eagerly viewed by the crowd, which confers omen value upon them. The chief washes his hands and his dagger in an earthen vessel that is presented to him. A savage scene. The beasts lie with throat cut open, exhaling a forge's blowing through their open tracheae, while dogs lap up the blood that spreads. Then the invocation
[634] starts, at which the moqaddem presides and which consists of hopes for family, agricultural, and political prosperity. The
[171] sacrifice is what it is classically on similar occasions in other regions of Morocco. The only two things to be noticed are the

796 /293 cont./

782 who will sanctify new kitchens at home with it, a single little piece sufficing to bestow the benefic effluvium on a whole dish.

796 Despite the atmosphere of apprehension, a diagram of worship allows itself, as can be seen, to be recognized. Determination of the minister: he belongs to a family of the Imt'ddan, so close to the saint, to whom they attribute among other miracles the distribution of the springs among their villages. Association of an accessory agent who is precisely the vehicle of orthodoxy: the marabout of Assttif, whose intervention, it is not useless to recall, is necessarily quite late, since his zaouia goes back only to the seventeenth century. The veritable ministers here are this pack of individuals, associates and rivals at the same time in the dispute with blows for the conquest of a hallowed parcel. They are no longer, as in the rite of July, collective members of the tribal gathering, but volunteers. The usual techniques of collective exaltation, contrasting, in their tumultuary individualization, with the official order of July, stand out splendidly here. The real paroxysm evidently results from the violence with which the faithful hack away and tear at the victim beneath the blows.

[783] The first interpretation, one of our own making, is naturally rationalist and modest: the people would be atoning for their sins through the mortification of blows with sticks. But it is more precise to relate this rite to so many other agrarian rites calling for /294/ struggles or violence (1).

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1. Cf. concerning rites of conflict, bibliography in W. Marçais, Textes arabes de Takrouna /Arabic texts of Takrouna/, 1925, p. 224, n. 39, and description, p. 201. Flagellation is often linked to the idea of scapegoat. Cf. J. G. Frazer, Le bouc émissaire /The scapegoat/, P. Sayn tr., 1925, p. 234, who cites Westermarck (p. 235) concerning Moroccan rites. In a domain close to ours, the I. T'anan, R. Montagne has given a vivid description of the combat occasioned by the musem of the a. Tinkert. He

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/footnote 1 continued/ compares it rightly to the simulated struggle indulged in at the mwuggar of sidi Ah'med u Musa. In. /unpublished/ note on the Idaw T'anan, arch. of Imintanout, pp. 38, 39. Let us cite finally, without a hidden motive of comparison, and, if one wishes, for simple "curiosity," this description of old Egyptian ritual: "At night, thousands of persons, armed with sticks, keep watch around the temple; some want to keep anyone from reinstating in his naos a statue of the god others want, on the contrary, to facilitate the entrance of the god. The actors, who are beneath the portico, deny access to the temple; the crowd, running to the assistance of the god, attacks them; they defend themselves; a violent combat with blows from sticks ensues, and many skulls are cracked." (A. Moret, Le Nil et la civilisation égyptienne /The Nile and the Egyptian civilization/, 1926, p. 294.)

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Flagellation even intervenes there at times, linked to the ideas of the scapegoat and purification. Not far away in the Atlas, at sidi Brahim near Asni, a camel is similarly slaughtered and skinned by the faithful, who tear at its flesh under the blows. At sidi Abdallah u H'sayn, of Tameçluh't, the head of the animal is carried away and fought over on the run by two rival parties (2).

2. Observations kindly communicated by G. Delaye.

Finally, the communal aspect which the distribution of the meat suggests (3).

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3. An aspect which moreover is more pronounced in other North African rites, for example, that of the Kabyle saint Sidi ^cAli n-Funas at Tizi Ouzou.

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796 notation on the enormous problem of the division between the pro-
782 fane and the sacred on one hand, and, on the other, between the
182 different sources of sacred, which takes place in this milieu with
the accountant and classifier genius.

The dispute of the Milād is related, as has been seen, to the very name of the place, pronounced with a doubling of the initial, z'z'init, and interpreted as an invitation of the saint to quarrel over her body. Is this not an etymological pun, or is the rite itself only a liturgical exposition of the name? The first interpretation seems preferable. If one relates a legendary trait, that of the rivalry over the body of the saint (1),

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1. That is a classical trait, cf. W. Marçais, Textes arabes de Takrouna, 1925, p. 217, n. 21. Sometimes, correlatively, the corpse of the saint itself manifests its choice for an emplacement: C. Trumelet, Algérie légendaire /Legendary Algeria/, 1892, pp. 65, 166, 243, 452; Les saints de l'Islam /The saints of Islam/, 1881, p. 31.

to a ritual trait, the dispute over the body of the victim, the possibility of assimilation, quite classical, between one body and the other comes to mind. That would carry the explanation into a very old atmosphere. It would naturally be imprudent to conclude on such a hypothesis. At the very most it would have the merit of achieving the displaying of the virtualities of the rite and its full religious resonance, of a richness unusual in the Maghreb.

The History

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In contrast to the preceding, let us now go on to the historical cross-checkings. What can we know of the real personality of Lalla Aziza? and, first of all, did this personage authentically exist? Her name is not common, as has been seen. What would be more so would be Azzō or Azzūna. The Moroccan Middle

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Ages offer several examples of the latter name (2).

2. Istiqā, A. M. tr., XXXII, 1927, p. 239. Here is an ^CAzzūna: Istiqā, A. M., XXXIII, p. 152. The epidemic of 1442 is called at Fès /Fez/ "the plague of ^CAzzūna" (*ibid.*, p. 476). Bū ^CAzzūn is the name of a river near which /this footnote is continued on the following page in the original source/ Turks and Chérifiens /Sherifiens/ meet (*Sources in.*, Esp., I, 1921, p. 206). Points on the Riffian littoral bear this name (*Sources in.*, Fr., 2nd series, t. I, p. 123, n. 7, p. 127, n. 1). At Marrakech /Marrakesh/ there are a Lalla ^CAzzūna and a funduq of the same name.

notably /296/ the "famous Ta^Cazzūnt," sister of an Almohade caliph. There is a Lalla ^CAzzūna at Marrakech. In contrast, the hagiological type is current. Moroccan tradition knows a number of saints, playing their role in the conflicts of the time. For example, an own daughter of Almohade Mahdī, or later, in the Sous at Issgdad, this H'awā'b. ^CAbd Allah, expert in uqūl (1).

1. Manāqib al-H'ud'aykī, t. I, p. 4. This "Eve" belongs to the cycle of Sidi Ah'med u Musa.

As for the shepherd or shepherdess, her character stamped with the ambiguity of the sacred -- lucky or unlucky, object of horror or of veneration -- is a universal theme, and notably Maghrebi and Mussulman. The flock which grazes without the shepherd's worrying about them is a common thing in the gilded legend: such as

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sidi Bubker of the Ahl Srif and many others (2).

2. Ibid., t. I, p. 155, l. 7 sq. On the magico-religious bibliography of the shepherd in the Maghreb, W. Marçais, Textes arabes de Takrouna, 1925, p. 257, n. 37.

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Finally, the legend recorded by Brives suggests almost a rivalry between the high places, where the virgin is made champion, and the more moderate slopes of the pastoral life. The configuration of the site makes one think that there is some authenticity there: in the matter of high places, one immediately thinks here of the Tamjlocht, which dominates the scene, and remains today the theater of an annual rite. The religious context of the region and of the epoch is supplied sufficiently to explain the figure of Lalla Aziza. One evokes, for example, all the Maq̣mūda saints that the Tachawwuf enumerates (3).

3. Ms. obligingly put at my disposal by G. -S. Colin.

Or also all these Regraga proselytes (4).

4. In the Moroccan S., the Regraga form "the soldier," if I may venture to say it, between two prophetic cycles: that of Jesus and that of Mahomet. Disciples of the first, H'awwariyūn, they are almost the "baptists" of the second, whom they announce and whom they go to seek from the time of the beginnings of his mission. Their personality fluctuates between a confreric qualification and an ethnic qualification. Cf. concerning them R. Montagne, who has the merit of linking them to the Coutumes et légendes de la côte berbère

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/footnote 1 continued/ labor, this role of avant-garde immediately furnishes a genealogical fiction. This links the collectivity thus marked to an ancestor saint or else to the Prophet. This is the very type of these corporations in confraternities by reason of an ancestor for which Durkheim clearly noted the characteristics of a form of transition. It expresses the "mixture of the rising professional organization with the pre-existent familial organization" (G. Davy, Eléments de sociologie, I: Sociologie politique, 1950, p. 115): But sometimes the fiction is unnecessary: the status is created by auto-affirmation, one might say. One thinks of the Touareg /Tuareg/ tribes described by the Cdt Cauvet and who, by their simple attestation, come to be considered as marabouts (H. Lhote, Les Touaregs du Hoggar /The Tuareg of the Ahaggar/, 1944, p. 163). In the Moroccan case, that of the Ud Bessebs^c, for example, an intellectual milieu furnishes forthwith the collective pretension of pedantic reasoning: the sherifian revendication enters the category of the pseudo-historical classifications that have played such an important role in the Maghrebi past.

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Pretty much as the corporation of rural or urban artisans constitutes in the economic life an intermediate stage between the tribal qualification and the profession.

Let us study a concrete case, that of the a. Wammern, descendants of sidi Mh'and.

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Their moqaddem joins to his hagiological functions and to his knowledge of some impressive tricks (playing dead, for

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[539] -- "Drive these visions from the depths of your being," he told me.

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In general, the form taken by this communication with the beyond is that of millenarianistic prediction. Indeed, this old theme, so familiar to Semitic societies -- but to many others as well -- is very common in the Moroccan South. In Seksawa itself, it gives rise to many compositions, very obscurely contrived, according to the rules peculiar to this genre of literature, in a Chleuh /Shluh/ language, mixed with scholarly phrases, and which Arabic writing renders very improperly.

One of these texts, for example, originating from the archives of the rebel amghar, goes back to an ancient and tumultuous epoch: that of the al-Hiba movement. In violent language the writer predicts obscure but terrible calamities on all the chiefs of the Dir, and notably on the great Mtuggi, "this dog." "You, Aguzzal" (1).

1. Minor chief of the a. Daud, fourrier of the Mtugga on the side of the mountains.

Between the traditions of millenarianism and the political opposition from time to time assuming the appearance of a "master of the hour," the bond is close and constant. Ch. Richard, apropos Algerian events, Etude sur l'insurrection du Dahra (1845-1846) /Study on the Insurrection of the Dahra (1845-1846)/, 1846, 85 sq., analyzes with finesse the social psychology /this footnote is continued on the following page in the original source/ of the mūl s-sā'a. In the Moroccan S. many of these traditions have for foyer the ribāt' of Massat, R. Montagne, "Une tribu berbère du S. Marocain: Massat /A Berber tribe of the Moroccan South: Massat/," Hesp., 1924, p. 364. Even quite recently a curious conjunction of these traditions with Islamic purism has been .

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pedantic and rustic, and the rudeness of the characters. To this proliferation of the writing corresponds the major judiciary role that it is made to play. A comparison with the neighboring fiqh /Islamic law/ will help one understand better how exorbitant this role is.

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212 In the fiqh, the act is only the materialization of the testimony (2).

2. E. Tyan, Le notariat et le régime de la preuve par écrit dans la pratique du droit musulman /The notariate and the regime of proof by writing in the practice of Mussulman law/, 1945, p. 5.

Its link with the human word is always present in that this word both offers solemnity (cf. the chahâda, in the sense of "profession," of "attestation") and must express sincerity. The Mussulman criticism of testimony will also oscillate between the two poles of psychological verification and control of form. Law of the human word, the fiqh will have no particular respect for autographic proof any more than it will for objective inquiry. It rejects, almost like two equal idolatries, the cult of the writing and that of the facts. Between the two, it will follow an elegant road, that of formulas well regulated and not at all inclined to formalism so much as to a certain precision of tone, fixed once and for all, and subjected to the double control of the grammarian and the moralist. The motives for infirmation will consequently be the impurity of the agent and the defects of the language rather than the inadequation to the real. The content of the "allegation," al-qawl, and the authority of the "allegor," al-qâ'il, remain the principal objectives of the criticism. Therefore the system of proofs is hand and glove with the enchainment of tradition and the application of the essential norm, which is the "dominant opinion," machhûr. A remarkable unity of methods is manifest in all this. The same criticism of /329/ oral testimony presides over the imitation of the Prophet, the construction of the law, and

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theology. The ensemble forms an eloquent, seductive, affable, conquering whole, quite in the Arab manner.

Nothing of the sort in the Seksawa society. The acts, arraten, rrusūm, laql, constitute there the legitimating base and the ultimate recourse of all possession. The writing bears its force in itself, as worthless, as much a "scrap of paper" as it may appear. Perhaps because it extends the force of such individual attitudes: one has seen this in the case of the istir^Câ. But moreover and especially because of its nature as writing. The verbal noun ara, "to write," is attested with the sense of "charm, talisman" in several dialects (1).

1. A Basset, "Six notes de linguistique berbère /Six notes on Berber linguistics/", Ann. I. E. O., t. 5, 1939-41, pp. 16 sq., denies the nevertheless tempting relation between ara, "to write," and tiuri, "curse."

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[794] The rural scribe, t't'aleb or lfaqh, still today concurrently cultivates notarial activity and magical competence, at the same time that he exercises a municipal religious function, that of imam and schoolmaster. This characteristic pluralism has lasted up to our day. It reveals a confusion fraught with lessons between different orders of things that we would readily classify in strongly contrasted categories: official cult, communal organization, education of the children, notariate, more or less clandestine practice of magic. If one adds that Arabic, language of all these acts, has always kept in a certain measure the value of initiatory language and professional speech, one will measure the force that resides in these writings generously prodigalized today by the parties in the course of their litigations. Without exaggeration, one can estimate that, beyond its value as preconstituted proof, it is the act in itself that has an effect most often, ex opere operato, to speak like our Middle Ages.

[197] The very material of the title counts at least as much as its content. In proof, sometimes, of the perfect vacuity of the latter.

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695 of kin according to the order of decreasing agnatic closeness.
 591 And even though it is the adversary who, as in certain cases, has
 (602) the choice of the coswearers to be supplied and who are then
 called mord'iyin, it is invariably these close ones that he designates: the very same ones who in fiqh would be challenged by him. Certainly, /332/ Seksawa law offers here less richness, less variety than other Maghrebi systems of law, where the structure of the group calls for, beyond the kinship factor, a consensual factor (1).

1. De Leyris points out, "Guide pratique de justice coutumière en ait Souab /A Practical guide to customary justice in ait Souab/," in CHEAM, the tulit, which would be a quinquagenarian group of people reciprocally owing one another assistance by oath, p. 9. The coswearer who disappears can be compelled to comply by 5 oaths of the party concerned. One feels here a great richness in the nuances of the obligation of solidarity. See the interesting case of the "sacramental isolated one," ag^wmmam. In ait Mgild of Azrou, the for-eigner can assign coswearers himself by a sacrifice (Coudino, "Le serment en a. M. /The oath in ait Mgild/, " in CHEAM, p. 13). It would be proper to point out here in the opposite sense, as a simultaneous advance of individualism and of "lumières" /lights, luminaries, enlightenments/, the case of the ag^wmmam, who solemnly exempts himself from any participation in a cojuratio. Cf. the interesting study by A. Adam, "Remarques sur les modalités du serment collectif dans l'Anti-Atlas occidental /Remarks on the modalities of the collective oath in the western Anti-Atlas/, " Hesp., 1948, pp. 299 sq.

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695 greatly anterior to the first: by several centuries! It is probable that these Seksawa societies permitted simultaneously institutions, minds of both forms, indeed impulses of one or the other genre within the same minds. Any genetic explanation consequently appears singularly suspect. On the contrary, what is likely is that this genre of contrast has existed all the time, and that this society, if one may say it, has looked upon it favorably.

695 /334/ A Document on the Historical Relations Between the Plural Oath and the "lafff" Testimony

The Moroccan judiciary practice ended up by admitting a subsidiary form of "testimony," initially reserved for only the "just," ^Cadl. In opposition to this canonical concept, the lafff restored the statistical concept of any witnesses whatsoever, that is to say, close or complaisant (1).

1. Al-^CIraqi, "La preuve par témoins, lafff /Proof by witnesses, lafff," Revue du Maghreb, 1939, No. 9, pp. 1 sq. ("Doctrine"). Question frequently approached in the Moroccan juridical literature. It is the subject of an entire treatise by al-^CArabi al-Fâsi in the seventeenth century. Cf. also al-Wazzânî, Commentaire de l'^CAmal /Commentary of the ^CAmal/, pp. 93 in fine sq.

Let us take heed, that was only the pure expression of a support of the group. Between the ordeal, which is the basis of the plural oath, and the moral criticism to which the religious law subjects the testimony, the lafff constitutes a sort of third position, influenced by the notarial practice. The latter being specified, one no longer discriminated between witnesses as "just," ^Cadl, and nonjust, but as professionals and private persons. At Fès /Fez/ this mode took some time to assert itself. Polemics on this subject prevailed throughout the sixteenth century. The lafff was

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212 is uncultivated, keeps his head bare, wears only one shirt, lets his
794 wives devote themselves to tasks more or less decent; the Malé-
693 kite /Maliki/ utilitarianism tolerates him all the same, because,
without him, the village would no longer pray and would no
longer enter into contracts.

These different traits will complete the encompassing of two
essential motifs of the Seksawa, indeed Chleuh /Shluh/ in a
larger sense, procedure: the writing and the oath, with their
municipal atmosphere. At the same stroke, the beginning of
historical precision, in a matter which is ordinarily so deprived
of it, comes to cast some light on the relations of juridical modes,
whose articulation in time one thus begins to perceive. Although
narrowly limited to the field of this study, such elements merit
for the ensemble of Morocco the very thing being conferred on the
Moroccan South, as producer of juridical forms, an unexpected
primacy.

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II. Familial Law

Agnatic Family or Conjugal Family (1)

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1. This problem is absolutely central in our
investigation. Hence it can be treated only
gradually in the development of the account.
The notion of the agnatic group as the basis of
Berbère /Berber/ society long ago passed the
boundaries of the monograph. It goes back to
very old observations, notably made apropos the
cut-up habitat, or quarter, and such as are found,
for example, in the Voyages d'Ali bey /The Trav-
els of Ali Bey/, 1814, t. I, pp. 90, 217.
Masqueray, Formation des cités chez les popula-
tions sédentaires de l'Algérie /Formation of cities
among the sedentary populations of Algeria/,
1886, draws some valuable analyses from it. All

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/footnote 1 continued/ the literature of the "bureau arabe" /Arab office/, Daumas, Villot, Richard, etc., had insisted upon the "patriarchal" side of Maghrebi life. These views are systematized by M. Morand, Etudes de droit musulman algérien /Studies on Algerian Mussulman law/, 1910, pp. 10 sq., and A. Bernard and Lacroix, L'évolution du nomadisme en Algérie /The Evolution of nomadism in Algeria/, 1906, in their very rich chapter IX on the social life, pp. 271 sq. They give an account there of the profound study by E. Douttè, "L'organisation domestique et sociale chez les H'âh'a" /The domestic and social organization among the H'âh'a/, "Rens. col.", Jan., 1905, which approaches our sector, pp. 8 sq. Observations by W. Marçais in a domain more distant, but valuable for the North Africa ensemble, Textes arabes de Takrouna /Arab texts from Takrouna/, 1925, pp. xi sq.; good bibliography by A. Moulléras on the ʿazwa of the Jebala, Le Maroc inconnu /Unknown Morocco/, 1895, t. I, p. 66; by H. Bruno on the ʿaz'âm, "Introduction à l'étude du droit coutumier des berbères du Maroc Central" /Introduction to the study of the customary law of the Berbers of Central Morocco/, "Arch. berb.", 1918, p. 306. In this context of observations, R. Maunier does not hesitate to approximate the Kabyle takharribt to the Roman gens, Mélanges de sociologie nord-africaine /Miscellaneous works of North African sociology/, 1930, p. 64, and describes a "segmentary" society. These ideas have been very widespread. Vidal de Lablache himself, Principes de Géographie humaine /Principles of human geography/, 1922, p. 291, compares Berbere /Berber/ society to an ensemble of Hellenic

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/337 cont./

/footnote 1 continued/ cantons that did not bring about their "synoecism." To return to concrete observations, a thorough study of the ikhs in Morocco was undertaken by R. Montagne in a series of works published in Hesp. beginning in 1924, and also Les Berbères et le Makhzen dans le S. du Maroc /The Berbers and the Makhzan in the South of Morocco/, 1930, pp. 43 sq., 218. R. Montagne consequently will affirm the importance of the patriarchal family, for example, very recently, in Naissance du Proletariat marocain /Birth of the Moroccan proletariat/, 1950, pp. 21 sq. G. Marcy, Le droit coutumier Zemmour /The Zemmour customary law/, 1949, pp. 1 sq., insists on the importance of the agnatic group, although he has posed the conjugal family as "elementary cell." He had already expressed this idea, especially in "L'alliance par colactation /Alliance by colactation/," II^e Congrès de la Fédération des Sociétés savantes, 1936.

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Let us suppose that groups, inversely to the exigencies of an individualist logic, were determined from the more to the less extensive rather than by an amplification that began with the individual. This idea of Durkheim's has a chance of being verified historically by the Berbères /Berbers/, whose present fragmentation could have been preceded by vast conjunctions. The study of the great ensembles of the medieval Maghreb, then that of the leagues of the recent past, then of the confederations, /338/ tribes, cantons, would bring to that of the agnatic family (1)

1. Cf., on the "undivided agnatic family," the ideas of G. Davy, Sociologues d'hier et d'aujourd'hui /Sociologists of yesterday and today/, 1950, 2nd edit., pp. 109 sq. The slightly

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586 to the evaluation of the magistrates. But in Seksawa she can ob-
562 tain it on simple incompatibility, which constitutes an exorbitant
originality in relation to the fiqh.

As an orf judge said, only the woman may be the judge of
the d'd'arar ddakhili, that is, "hidden objections." An original
vein of protective tenderness with regard to daughters and sisters
circulates here in /343/ the customs. It is so notable that, the
regularization of this practice having been brought about by tribal
deliberation in 1949, the jemma unanimously, with one exception,
manifested its formal agreement. The isolated one was from the
Bas /Lower/ Seksawa. A man from Arab confines.

Comparison with Orthodox Marriage

585 While there can be no question here of a historical comparison
171 between the Chleuh /Shluh/ institution and the Mussulman institu-
tion, as it is presented in theory on the one hand, in Moroccan
practice on the other, one immediately notices certain differences.

First of all, a difference of profile in time. The conclusion
of the orthodox nikāh is sanctioned by the payment of at least a
part of the qadāq /ṣadāq/. This is incontestably its point of de-
584 parture. Nothing is less true of Chleuh /Shluh/ marriage, where
171 the nuptials are preceded by what I have called a prenuptial stage,
which is not always today, and in any case seems not to have been
formerly, exclusive of the sexual act. But let us not dwell on this
question; it could be suitably treated only in the perspectives of
the Berbère /Berber/ comparativism that a recently opened con-
troversy over "Kabyle betrothal" (1)

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1. I am thinking of the malicious criticisms by
G.-H. Bousquet, Justice française et coutumes
kabiles /French justice and Kabyle customs/,
1950, p. 63. If, however, on a juridical plane,
they appear decisive, I wonder if the question
would not merit being thoroughly examined on
the plane of general ethnology. A. Magdelain,

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584 /footnote 1 continued/ Essai sur les origines de
171 la sponsio /Essay on the origins of the sponsion/
114 1943, p. 104, finds in very ancient Roman law
an opposition between the "betrothal," more con-
servative form, more imbued with magic rites and
with the notion of patria potestas, and "marriage,"
individualized and consensual form. In Rome,
however, the juridical tie of the betrothal fell into
decadence early. Similarly in Mussulman law the
institution's point of departure in time, in the ju-
ridical sense of the term, is the fâti'h'a. Never-
theless in Chleuh /Shluh/ law the frequency of
litigations that we would call "breach of promise
of marriage" is significant, and at the very least
covers the notion of a juridical state already es-
tablished anterior to the pronouncement of the
fâti'h'a. This is what I call the prenuptial stage,
by allusion to practices of this order fallen to the
level of simple folklore in certain European milieus,
for example. Cf. Van Gennep, Manuel de folklore
français /Manual of French folklore/, 1943, t. I,
pp. 226 sq., 249, 259. In the Berbère /Berber/
domain itself, it would not be adventurous to com-
pare this phase of "frequentation," where the
daughter remains at the home of her parents, with
such a trait of Touareg /Tuareg/ marriage: "cus-
tom requires that the newly married live near the
parents of the woman for a year," M. Benhazera,
Six mois chez les Touaregs du Ahaggar /Six months
with the Tuareg of the Ahaggar/, 1908, p. 18. In
Morocco itself, the Moyen /Middle/ Atlas knows
different practices dependent on a conjugal life first
paired with work at the home of the parents, accord-
ing to the Biblical theme of Jacob at the house of
Laban. This is the custom of the amhares. Some-
thing analogous among the ait ^cAt't'a of the Sahara,

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/footnote 1 continued/ according to de Ligniville. G. Marcy, Le droit coutumier Zemmour /The Zemmour customary law/, 1949, too quickly ranks under the name of tiddukla, "compagnon-nage" /Fr. compagnonnage, time of service as journeyman after apprenticeship/, some traits of this sort (p. 7). Same reproach to be made concerning his discussion of the theory of H. Basset, drawn from the uniformity of the alig in a. Sadden, a. Warain, a. Seghruchen, B. Mgild, Zayân, etc. (pp. 8 sq. and 9, n. 4).

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171 renders rather inconclusive in the case at hand.

581 What is undeniable, on the contrary, is that the Chleuh /Shluh/ marriage /344/ is a society of egalitarian production (1),

1. J. Berque, "Les Ajwiba d'al-^CAbbâsî /The Ajwiba of al-^CAbbâsî/," R. al., 1950, §§1 sq., and notes. Nothing more instructive than the difficulty of the orthodox jurist in order to justify the aberrant solutions of the milieu.

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[187] where each rightful claimant, women included, contributes his capital and his work. The capital of the woman is the jihaz, and her share of acquests, the tizzla. Nothing similar in Arab countries. At Fès /Fez/, for example, the mores indeed force a bourgeois who is marrying off his daughter to give her a "marriage settlement," called chuwâr or tajhîz, of an amount equal to double the part of the qadâq paid immediately. But this is a sumptuary liberality which turns round as a threat of forfeiture in case of repudiation. Assuredly not, as in the Sous, a society that invests itself. Ostentatious economics and tension between great families, such is the climate of Fès; modest and meticulous community of work, such is that of the Sous. The meaning of the practice differs completely from one case to the other, but from the one to the other, it is true, no solution of continuity, and sometimes use of homonyms to designate quite dissimilar forms.

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Even more instructive is the indefinite bringing forward of the payment of this amerwas, deemed to correspond to the ḡadāq. It is known that in fiqh at least a part of the ḡadāq must be paid in cash. Absolutely not in the Sous. The fact that the payment of the amerwas as regards the totality is to be postponed there until the dissolution of the marriage: 1) clearly dissociates it from the consummation of the marriage, and thus even removes it from its orthodox role of canonical purifier of the sexual act (2);

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2. And nevertheless a "marabout" jurist such as an-Nāḡirī, Ajwiba, ms. of the zaouia of the Mez'ud'a, p. 40, l. 14, must consider that the indefinite carrying forward of the integrality of the ḡadāq (in this case the amerwas) is without inconvenience and does not render the marriage illicit.

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Let us recall — without, of course, wishing to establish a comparison — that Moroccan Hebraic law brings these diverse notions together under the name of kitubba. The latter, quite like the Berbère /Berber/ amerwas, is demandable only in case of dissolution of the marriage. The "forfeiture" aspect is moreover more pronounced in it. Cf. on the kitubba, E. Malka, "La constitution du douaire par contrat de mariage /The constitution of the marriage settlement by marriage contract/", Revue marocaine de droit, 1952, pp. 209 sq.

2) leads one to seek in other traits of Chleuh /Shluh/ marriage the veritable inaugural formalities.

The invariability of the amerwas in one and the same tribe (3)

3. Westermarck has already noted it, Les cérémonies du mariage au Maroc /Marriage ceremonies in Morocco/, 1921, pp. 61, 67. He even gives a

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/footnote 3 continued/ remarkable example: that of the Glāwa, where his quantum varies according to the subgroups (p. 62). In case of flight by the married woman, the rate of compensation varies, he writes, according to the tribes or the subdivision of tribes (pp. 57 sq.). The Arab jurists cite the practice of an invariable qadāq as tainted by Bedouinism. Cf. at-Tasūlī, Comm. Tuh'fa /Commentary of the Tuh'fa/, 1355 ed., t. I, p. 247, l. 6 sq., and 27 sq., with citation of this Abū Ḥafṣ whom we always find as revealer of Moroccan authenticity: lā yuzādu ḥalay-hi li-jamāli-ha wa lā yanquḥu li-qubh': "beauty or ugliness is of no importance," the famous cadi says, smiling a little!

is the second of the characteristics that set it opposite the qadāq. The amount of the /345/ latter in Arab countries is not statutory, but contractual. But has it always been the same? Here again we find, attested to by the jurists, an ancient Bedouin stage, where the practice of a qadāq, invariable and payable only upon the dissolution of the marriage, would have been general at a certain time, since authorities as scattered as Ibn Ḥafṣ (Tunis), al-Qawrī (Fès), and cadis of Sijilmāsa are cited with respect to this (1).

1. At-Tasūlī, Comm. de la Tuh'fa, 1355, t. I, p. 250, l. 4 sq.

Indications Concerning the Anterior State

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In any case, the uniformity and modicity of the amerwas, its liaison, not at all with the consummation, but indeed with the dissolution of the marriage, lead, at least for the Chleuh /Shluh/ group, to the hypothesis that it may be a matter here of an element superposed, perhaps by way of authority, upon an

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175 are. It dates from 1299 Heg.: 1824. The formulary perfection is even more marked here: beginning eulogies in rhymed prose, wishes of benediction and good augury, favorable description of the two married people. The ḡadāq is some 50 mithḡāl-s in money, ḡabbāsiyya.

Another contract, of which use has already made, and which is from 1042 Heg.: 1630, also carries a ḡadāq high in cash and kind. It is true that it is a matter of a young lord, ach-chaykh ach-chābb, a singular expression that undoubtedly sets one on the track of understanding.

It is evident that a particular style: literary wording, numerical hyperbole, care taken in preserving the document, must have presided over the marriage agreements insofar as they /347/ escaped statutory banality. In other words, it must have been a matter of exceptional cases: the sons and daughters of chiefs or marabouts, emerging from the milieu, but that cannot infirm statistically the general rule. Such testimony does not only reflect a characteristic variety. Basic contrasts have been able to force their way out at all times in the mountains, between the villein and the lord, the traditionalist and the odd person, the impious and the scholar. The milieu had to find an escape from the dissatisfactions caused by the inequality of culture or fortune.

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[562] However that may be then, not only in the division of the acquies, but even, in certain cases, in the matter of the nuptial gift, the Seksawa woman knows an eminent economic dignity. One has seen above how the institution went beyond the Mussulman pattern, upon which, after the event, it was desired to model it. It went beyond it as much in the ceremonial richness, magico-juridical foundations, statutory egalitarianism, as in the contractual acuity. Nothing makes the originality of the system stand out better than its opposition to another system, the Kabyle one (1).

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1. Essentially Hanoteau and Letourneux, La Kabylie et les coutumes kabyles /Kabylia and Kabyle customs/, 1873, t. II, pp. 148 sq., and the criticism of it by G.-H. Bousquet,

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/footnote 1 continued/ Justice française et coutumes kabiles /French justice and Kabyle customs/, 1950, pp. 48 sq. What is striking in the stage described by H.-L. is the nullity of the woman's rights, not only concerning what would correspond to acquests, but even concerning the "nuptial price," taïmamt or tutchit, which I translate thus provisionally, for lack of anything better, and even concerning the conventional supplements, or chirut'. What is called cedak' in Kabylia (H.-L., ibid., p. 162) is in sum only a facultative marriage settlement handed over by the parents and deemed equal to renunciation of inheritance. The powers of the husband are exorbitant, since they sometimes include beyond the grave a sort of right of retention, taïllak'ith (ibid., p. 156), and, in case of repudiation, a negotiable power of interdiction, capable of rendering the woman thamaouok't (p. 178), etc.

which one would imagine to be quite close to it by reason of so many analogies in the habitat and the public law. Now what is striking in the Kabyle system is its brutal masculinity, its negation of any bilateral equity in the status of the conjoints. In the eyes of the French reformer this is a permanent scandal, but a very resistant scandal, against which up to now one has been able to do very little. That speaks of its profound adherence to the milieu.

Let us content ourselves with this brief reference to another Maghrebi law, in order to make the balanced character and the moral value of the Seksawa type stand out. And the comparison will have another advantage: that of dissuading the investigator from calling on a hypothetical common basis of Berbère /Berber/

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institutions in order to account for their originality (2).

2. The comparison with the neighboring Ud Bessebâ^C is characteristic. The "masculinity" of their mores is so marked that the woman often gives up the rights that the fiqh gives her, such as, for example, the /this footnote is continued on the following page in the original source/ food allowance for the children. To tell the truth, the Moroccan Amal has naturally registered as a "Bedouin" practice the calculation of an indemnity corresponding to the si'âya of the woman, that is, to her comings and goings outside the house. This is what is called the kidd and what the cadis willingly apply to Berbère /Berber/ tribes subject to the chra^C /Sharira/, such as the Mtugga and the Mez'ud'a.

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The Family In Time

Under such a rubric will be grouped aspects that a classification excessively steeped in our manuals would study successively by the titles of filiation, the state of persons, guardianship, successorial status, adoption, and foundation (1).

1. This is what is done by J. Lafond, Les sources du droit coutumier dans le Sous /The sources of customary law in the Sous/, 1948, pp. 47 sq.

This family in time, which is also, as one has seen, a family in space, is the ikhs. Now its traits appear only in the form of twists or of subterfuges, of flights from the fiqh. This is, moreover, a classic method, but here one whose coherence, obstinacy as

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[623] /350/ /The following paragraph is in small type in the original source./ Here is an act of 1168 Hég.: 1755. It concerns the jemâa of Ad'erdur (Idma). It specifies the ikhs of each of the personages mentioned: A. Abbû, a. Ikru, a. Ighechchi (today: a. Dris), a. Arbâi (today Ichâwiyin), Azarra (disappeared), a. Bjikko (disappeared), a. Bajja. That is, 8 ikhs-s as opposed to only 6 today, among which one finds the a. Ikru, a. Uchâwi, a. Dris, a. Bakkin. Two have disappeared. Others have dissolved and are no longer counted as ikhs-s. The laws of these evolutions would merit a monographic analysis, which cannot be undertaken here. Roughly, these ikhs-s, each of which furnished an assistant for the chief of the village, are still the same as in our day. Examples of such permanence, unheard of with regard to the incertitudes of the Morocco of the plains, would be indefinitely renewable.

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671 It is true that there we are fully in public law. The atmosphere is quite different as soon as one passes to acts concerning the conjugal family: and the latter is alone to appear here either at the moment of its constitution by marriage or on the occasion of all the acts implying its exercise or its perpetuation.

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[191] "Adoption," assyas, tabannî, constitutes a first divergence with the orthodox system. One thus sees crop up on the plane of sworn law a form that elsewhere in North Africa has remained on that of suppletory custom (1).

1. Cf. G.-H. Bousquet and R.-P. Demeerseman, "L'adoption dans la famille tunisienne /Adoption in the Tunisian family/," R. afr., 1937.

It is nevertheless rare in Seksawa, and these lateral modes of augmentation of the family are far from assuming there the same importance as elsewhere. The strict adaptation to the fiqh has eliminated here the interferences between the pacts of work or of alliance and filiation, so characteristic of the Moyen /Middle/ Atlas. An effect, let us say, of "acculturation." The Seksawa system diverges from the fiqh on another point. One knows that in the latter representation does not exist. Trace perhaps of an

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671 agrarian order, has survived up to us. But on the juridical plane, it has finally suffered, more than the group, from the invasion of the notarial writing. And its contest with the economic chances of the individual still endures, and becomes bitter. If it were ever able — a stage /353/ quite hypothetical — to preside over a form of this society where everything agreed harmoniously around it, ritual autonomy of the patriarchal family, hagiology of ancestors, law of agnatic type, that collapsed long since. One has [178] the impression that for four centuries at least, in the place of what one can imagine of the ancient ikhs, the society has been undone or, more exactly, redone (1).

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1. These reactions of the group to the gens, sometimes by legislative means, are known in classical Antiquity, where they constitute in short the essential of "reforms" that intervene here and there. Durkheim has profoundly noted it. Ann. soc., t. VI, pp. 324 sq., 373 sq., apropos the Athenian genè and phyla. We shall return to this idea in our conclusions.

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Land Law

Double Character of This Law

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The maintenance of the agnatic group in its landed position will be the central motif of this chapter. But a total liberty of landed-property operations surrounds this motif with a fringe of lesser application or even of contradiction. In extreme cases mobilization and alienation of the land intervene, and put in play 423 181 a passionate contractual individualism. This is an important theme of these societies. It interferes with the one, no less important, of communitarian permanence. Both react constantly with each other. Hence contrasts and antitheses, at which a superficial view might stop, but we shall try to see if their

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175 of it for the saints of the Seksawa, such as Lalia Aziza and the
423 H'ançaliyin, in conformity with ancestral usage. He planted it
425 with trees and sowed it with cereals, and surrounded it with an
enclosure," etc.

Much farther upstream, at Rekto Wasif, in 1011 Heg.: 1603,
a cultivator required evidence that he had exercised usufruct
over a piece of land "from the time of the sherif." The witness
attests "to have participated in a twiza of fertilizer and other
practices of tillage and harvest with the Ait Wasif."

423 But possession will never hold against the right of origin, the
671 basic legitimacy, aql. The fact is important enough to be the
171 object of deliberations and even of codifications. In effect it runs
directly counter to Mussulman law. This conflict between the
master and the disciple is striking. Indeed, despite the moral ex-
igencies that bring it closer to our canonical law in its criticism
of the vices of usurpation, violence, and even of precariousness,
the Mussulman law causes to intervene the notion of a duration
whose prolongation entails juridically the purge of these vices and
constitutes in the long run the title of ownership. Moreover, its
litigious and technical nature, making it confuse the right and its
proof in most of the cases, leads it to confer upon the possessor the
advantageous qualification of defendant, which very often will
end the proceedings in his favor with a simple swearing of an oath.
Nothing more remote from the Seksawa custom, where the burden
of proof devolves on the possessor, and which is ignorant of any
legitimizing effect of duration.

423 Applied to the letter, the preponderance conferred on the
671 written title, by a technique so imperfect and offering so little
in guarantees of authenticity, over ancient possession apparently
leads to the worst of hazards. In fact, the "legitimation" of
(613) which the documents speak is the notoriety of the group attaching
such revendication to the well-known patrimony of the ikhs. This
genealogical consciousness of the group, tied to the structure of
the ground, is what must be referred to in order to give an account
of the customary rule of action that has become incomprehensible
beneath its cloak of written law. Deliberations of this sort,

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as has been seen, of a very ancient imprecatory law that disappeared under the adaptations to the fiqh. An amusing expression of these repentances is offered by an act from Imsker. The witness goes gack on his declaration, proclaiming that the sale did not take place, he was misled by Satan the accursed and the enticement of a few pounds of honey! (1141 Heg.: 1729.) It is not rare that the troubled conscience of the t't'olba becomes clear toward the end by the inscription of these curious acts "of repentance," istighfār, infirming such-and-such of their testimonies. The act remains hidden at the bottom of a leather bottle. Its accidental discovery will produce a striking procedural event and will cause everything to begin again at zero: the ancient possession will no longer count for anything in opposition.

Correlatively a veritable profusion of orthodox formulas will come to color the hazardous alienations and compensate for their obvious precariousness by a virtuous verbalism: "Firm, licit, executory, definitive purchase, exclusive of any cause for redemption or option, concluded in full knowledge and elimination of ignorance concerning the price and the thing a price was put on, for a sum and a forfeit of an ounce and a half of whole coin, the two rightful claimants being put in possession, one of his money, the other of his property." It is doubtlessly thus that the buyer runs his risk. Although he enters into a perpetual dialectic with the progeny of his seller, he hopes to make his rights valid, and, seniority helping, to constitute an aqī. It is possible that this aqī may be contrary to the old agnatic distribution; in any case, the thing will not go far, since about five centuries of play of notarial writing have not noticeably disturbed the order of the grounds of the valley.

These purchases and these rrahn-s ordinarily bear on, rather than land topographically delimited, parcels individualized by the name of the legitimate owner in such-and-such a quarter. The expression is sometimes: "all that on which his name bears" (1).

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1. In a completely different society, the France of the upper Middle Ages, it was the name of the

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/footnote 1 continued/ estate that identified the land: a formula diametrically opposed to ours and which rests, as has been seen, on a completely different conception of the "field." Cf. Fustel de Coulanges, L'alleu et le domaine rural /The allodium and the rural domain/, 1889, p. 18.

With any aim at comparativism set aside, but by title of a geographical lesson, /this footnote is continued on the following page in the original source/ let us note that in the milieu, similarly montagnard and conservative, of Andorra the so-called sale with power of redemption is by far the most frequent. Like the rrahn of the Chleuhs /Shluh/, the Andorran redemption can be very long term, transferable to a third party, and the operations of repurchase are connected, in their validity and their effect upon the pending harvest, with considerations of agricultural season! J.-A. Brutails, La coutume d'Andorre /The customs of Andorra/, 1904, pp. 198 sq.

432/363/ The sale is then called "aggregate," muchā^c (1).

1. Al-^cAbbāṣī, Ajwiba, lith., t. I, p. 169, l. 8 sq., defines this muchā^c sale, the name of which he writes, ibid., p. 174, l. 15 sq. Locally muchū^c or lmuch^c is also said.

an expression of bookish origin that we will find to designate the collective, with an unexpected oriental analogy. Other terms are sometimes used: busiyyar or basiyyar in Nifsa, for example.
[95] Sometimes the pen of the writer even rises to hyperbole: a whole

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/footnote 2 continued/ theory, however, the woman's right to inherit is absolute. It is exercised not only in the margin, /this footnote is continued on the following page in the original source/ lh'āchit, that the "agnatic sequestration" lets exist, but it is a constant procedural theme. The women's share often being forgotten in the acts of sales, this will later bring about their annulment for all that concerns the women's share, and without prescription intervening. On the other hand, in neighboring societies, the Aghbar for example, if one is to believe the in. /unpublished/ monograph by Lepage, the woman cannot possess landed property in the Imsiferu leff (a. Gasa, a. Tkssit, Amismatert). She may, on the contrary, in the Inghertit leff (a. Gāir, Imelwan, Iwensenkten).

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From these habous, pious devolution, even distant, /364/ is formally absent. That then is the extreme case of what has been observed nearly everywhere in North Africa under the name of "private habous," and where the exegesis has correctly seen a procedure of disinheritance of the women. Here the intention does not disguise itself by any stratagem, is crudely displayed. The founder specifies that, in case of extinction of the male branches, there will be a carry-over of the ensemble of the inheritance.

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War, emigration have sometimes posed this case. This is the so-called type of the inquirād'. It is rather frequent. An interesting fatwā of 1220 Heg.: 1805, emanating from a jurisconsult of the Imt'ddan, concludes with the help of texts that the carry-over of the habous should benefit only indigent heirs and in order of decreasing necessity (ih'tiyāj). A second opinion, bracketed with the first one, is further supported by the judgment of the jurists of the Gezzula, utilized in his Ajwiba by ^cAbd Allah b. Ibrāhīm at-Tamulī. Ar-Rasmūkī would have likewise judged in this manner.

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/footnote 1 continued/ familial groups with-
in the political society. The fact is that the
oath often has this aspect. And that is so
true that, the group growing larger into the
taqbilt, for example, it would be other tariffs
that then function in the cojuratio. But one
is also struck by the traits of decline or re-
treat of a familial law thus profiled, or, what
amounts to the same thing, by its unequal re-
sistance to the legalistic Mussulman influences,
from which, in short, the public law in the
strict sense of the term has much better extri-
cated itself. Of the two, it is the latter that
has had the major influence, to the point,
undoubtedly, of reacting upon the other.

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/371/ But on this same plane there are two recoils, unless
they are original lacunae. First of all, let us repeat, this society
with ancestors has never reflected in its hagiology what is re-
flected in other systems similarly organized. Another negative
remark: in this penal law, so well attested to during the four
centuries that one can study it, sanction is always of public order,
without the notion of private vengeance or of responsibility of the
ikhs ever cropping out in it. This is important. One of the best
studies of Berbère /Berber/ law, that of Hanoteau and Letourneux,
has given much space to completely contrary aspects. A sharp
difference with the western Haut Atlas stands out from what these
authors say proceeds from a law of the family as opposed to that of
the village: all these juridico-sentimental motive forces that the
reqba, the canāya are, all this code of virile honor that occupies
such an important place among the Kabyles (1).

1. M. Daumas and M. Fabar, La grande
Kabylie /Great Kabylia/, 1847, already
contrast the vendetta to the dîf, as signs of
two radically different systems, p. 35. These

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/footnote 1 continued/ observations and those of C. Devaux, Les Kébâles du Djurdjura /The Kabyles of the Djurdjura/, 1859, have certainly inspired Hanoteau and Letourneux, La Kabylie et les coutumes kabyles /Kabylia and Kabyle customs/, 1873, t. III, pp. 77 sq.

The dîs is not Kabyle. Now the milieu that we are studying is dominated by the pecuniary compensation, which comparativism has regarded for a long time as of a stage and character contrasting with those of a purely familial law. But what is there that is historical in these distinctions, and should we give them a value other than a didactic one?

Certainly, the question of concrete relations that, in such-and-such a society, could be manifested between retaliation, compensation, composition fixed in advance, vengeance, punishment, and judgment is obscure. Perhaps in analogous milieus there were fundamentally opposed attitudes and options. In order to make a comparison with an ancient law, a comparison that has sometimes inspired adventurous theories, let us recall, but only as a landmark, that the old Germanic law /372/ simultaneously knew composition, an attenuated phase of familial vengeance, compatible moreover with an arbitral or judiciary organization, and proscription, which is of ritual character.

In old Selsawa law the fine, which is a trait of highly "advanced" public law, and tariffed composition are known simultaneously. But as far as one can go back through the written sources, nothing but that is known; never retaliation. The contrary opinion has nevertheless been supported, but, it seems, without serious sources. We do not have the right to infer from pre-Islamic or Biblical Arab comparisons the existence of a stage in which personal vengeance could have legally been exercised here. One can, certainly, ask whether proscription after the crime is not also indeed a ritual evasion, favored by the institution of places of asylum, such as Z'init', and in the course of which intercessions, either familial or religious (intervention

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The Public Law of the "Taqbilt"

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The old acts of penal tariffication most often begin with the formula: "ittafaqū jamā'a...", "in agreement is the jamā'a." The latter term has become the leit motiv of our North African political sociology. Let us remember its initial ambiguity, due to the etymology. The jamā'a can only be a "meeting," as the Corf can only be a "presumption." A vein of the fiqh is mixed here with the old communal notions. In many acts and in the conception of a purist writer the word evokes only publicity. This publicity, highly important for example in the matter of marriage, is confounded, it is true, with the auctoritas of the group. The camouflage, at least linguistic, of the montagnard institution has made out of a reality so essential something a bit ephemeral, and which can give rise to reassuring and evasive assimilations. Formidable reality when it is fully deployed, in an insurrectionary convention, for example, as the history of Morocco is full of them (1).

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1. Also in Algeria. Cf. the organization of the chert'ya in L. Rinn, Histoire de l'insurrection de 1871 en Algérie /History of the insurrection of 1871 in Algeria/, 1891, pp. 91 sq.

Mawkish reality when prudence or false shame or /375/ grammatical reserve induce it to express itself only through words with double meaning. The initial formula of the inçâf-s can be interpreted in two senses: communal deliberation or accidental agreement.

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After this preamble comes the name of the chief, the "preposed" one, moqaddem. Again an Arabic word, with an aspect of central power; it is the one that in the present makhzanian system designates the village chief. But here it is quite another thing. This personage is sometimes surrounded by a little senate whose members bear the unexplained name of ait Arbâin, "the

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The Wording of the Rule

000 Made from harsh internal competitions, from inexpiable vendettas, the group nonetheless presents to the exterior a cohesion which is that of a fagot of thorns, inextricable and untouchable. And is it not significant that this image of a fagot was inspired in the Middle Ages by our first communes?

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171 This thorny cohesion is sealed by a juridical act. It is these penal codifications called qānūn in Kabylia and inçaf among our Chleuhs /Shluh/, veritable commonplace of the Berbère /Berber/ institution. Revealed by Hanoteau and Letourneux, found, with what profusion! in the Moroccan South, producing in Algeria around 1930 a scandal of surprise of an indeed sympathetic naïveté, their history is already long (1).

1. L. Milliot, "Les institutions kabyles /Kabyle institutions/, " R. E. I., 1932, pp. 138 sq., and "Les qānouns kabyles /The Kabyle-qānouns/, " in the work by Hanoteau and Letourneux, pp. 1 sq., 26 sq., ibid., 1933, remarkable historical critique of the documents provided by these two authors.

One can follow the chain from the edict, already mentioned, of Yah'yāu Tāfūft (1510) up to the deliberation submitted to the prefect in the cadre of our municipal law, by a Kabyle village in 1945.

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212 It is probable that they represent one of the first uses of Arabic writing in the Sous. The synonymy of chl. /Shluh/ ikchchuden, ar. /Arabic/ alwāh, "tablets," "tables of the Law" (2).

2. The jurists of the Sous often speak of these "tables," alwāh, which corresponds to chl. /Shluh/ ikchchuden, "bits of wood,"

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121 literarily exploited apropos the "Berbère," but more precisely of this incertitude that is at the bottom of it, formed by intimate transactions, relinquishments, and circumscribe 1 resistances. To give and to retain: such is his law. Culture of contractions and circumvolutions, I should venture to say.

How, in the apprehension of a justice for which this man violently thirsts, can such a state of affairs be reconciled with a vitality with tension and alternations, so equipped to be patient and to endure? The just, for the Seksawa, risks being both the thing of importation, or at least expected from the exterior, and the thing that one hides within oneself without ever discovering it. Evasion on the one hand: through emigration, apprenticeship in Arabic or French letters, sometimes such an ostentatious treachery, almost romantic, such profanation: then the individual rushes forth, casting all behind him.

But also inaccessible flame in the depths of the heart, in the depths of history, in the depths of the grimoires, and which a rhythm of communal dancing, an inspiration from the saints of the Tichka or of Z'init' alone come to revive from time to time.
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Fourth Part

Attempt at Interpretation

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I. Limits and Range of the Seksawa Type

Position of the Seksawa in the

Ensemble of the North African Sedentary Peoples

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The method of parallels is obsolete. Even to stop at criteria as provisional as sedentariness or Berbérophony, the present knowledge of North Africa does not permit a precise enough comparison between sectors. The latter, however, are ordered by geographical masses. Once the Rif, because insufficiently studied, the Moyen /Middle/ Atlas, because governed by economic and

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171 social movements too different from those that concern us, and
121 finally the Touareg /Tuareg/, because eccentric to the Maghreb,
are eliminated, attention can be concentrated on a few domains
that offer analogies to ours and at the very least the practical
advantage of being quite well known (1).

1. Since, of course, here it is not a matter
of monographs on Kabylia, the Aurès or the
Mzâb, one will abstain from general bibliog-
raphy, although an excellent comparative
description of the various sedentary milieus of
North Africa is to be found in J. Despois,
[114] L'Afrique du Nord, 1949. The documentation
for the following pages comes mainly from in-
vestigation on the spot and also cross-checking
carried on with experts. Notably, MM. R.
Montagne, Ancel, Laburthe, Miralles, Rahmani,
Ibnou Zekri, G. -H. Bousquet, Larnaude for
Kabylia; Faublée, Cazebonne, for the Aurès;
J. Schacht and the late P. Giacobetti for the
Mzâb; Lieutenant Berthé for the Touareg
/Tuareg/. My thanks to all.

171 Analogy? In the case of the Sous, let us say identity. The
Seksawa are part of the Sous, even though more geographical
space is integrated with this convenient appellation than present
usage would concede to it. It is still infinitely less than it in-
cluded in Arab authors. To wit: not only the plain but its moun-
tainous reverses, the whole-forming the essential of the linguistic
and cultural domain of the tachelh'it /Tashelhit/. The southern
counterfort of this Chleuh /Shluh/ country, the Anti-Atlas,
homologous to our milieu with respect to the bisector that the
river of the Sous describes, offers engaging correspondences with
it. Economic resemblances, symmetries of peopling, action of
the same saints, reign of the same theological and juridical
genre. No need to insist here upon /402/ the multiple traits of

/402 cont./

171 what seems to the inhabitant himself to express a veritable community. The Seksawa are the pole of rude and refractory archaism, as the Idaw Semlal are the one of moral expansion, of breaking up, of perpetual rejuvenation. Under the nuances due to the differences of cadre and of way of life, but especially to the capacity for local variations of the system, one will undoubtedly be able to understand the whole Chleuh /Shluh/ world which, in the preceding analysis, did not stay too close to the so-accented personality of the Seksawa.

The comparison with Kabylia will be infinitely more delicate. In what measure can it even be instructive, and does it not correspond to a simple clause of style? One can in fact pose this question. Each time that the account has recourse to Kabyle facts, especially in the law, it has been to set them against Chleuh /Shluh/ facts. Certainly, these two societies invite comparison by language, political mores, village habitat. But the differences are even more striking than the analogies.

(241) Here, valley crops, by irrigation and tiers, disposition of the orchard by masses; there, on the contrary, dry tillage, dispersion
(342) of trees on slopes infinitely cut up. Here the house with terrace /flat roof/: there the roof of red tiles with double slope: these two styles express an opposition that E.-F. Gautier correctly perceived, although whimsically labeled as "Botr and Branés architectures" (1).

1. E.-F. Gautier, Le passé de l'Afrique du Nord /The Past of North Africa/, 1942, p. 243.

000 Kabyle agriculture, although favored by the pluviometry, remains precarious. This is due not only to the insufficiency of landowner bases which the parceling destroys, but to the indolence of the techniques. The love for the tree has undoubtedly acted on the landscape. The slope is dotted with olive trees. More disciplined, the fig tree is arranged in gardens. The two species complete the natural contribution of the carob tree, the ash; the oak with acorns. But this country of powerful declivities does not know, with a few

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000 will barely survive the event that roused them (1).

1. Daumas and Fabar, op. laud., pp. 45 sq.; C. Devaux, op. laud. defines the coff-s as "a hostile state of observation that the various parties maintain between them" (p. 41), and he describes many fluctuations, pp. 241 and 242; Hanoteau and Letourmeux, op. laud., t. II, p. 67, show the evanescence of the "tribes." I find several examples of this in the Archives of the Sénatus Consulte of 1863 (G. G. of Algeria). After a war between the Beni bu Yusef and the Aqbil, two villages passed from the first to the second, with whom they henceforth became integrated. The Beni Ithuragh of the Tirurda constitute the federation of 18 villages operated after the submission of the rest of the country at Randon. Other examples could be found for the Turkish period in S.-A. Boulifa, Le Djurdjura à travers l'histoire /The Djurdjura through history/, 1925, especially pp. 300, 311, 319, and passim.

More than entities, these are virtualities. Undoubtedly it would be somewhat paradoxical, on the other hand, to contest all that village life inspires for the Kabyle in rites, practices, sentiments: a community results from it, of course. It does not abolish, on the very plane of the public law and of the political course, the autonomy of the groups that it divides as much as it unites them. A deeper study of this society would be necessary in order to discern, under the contribution of a century of /405/ proceeding in the French fashion, the anterior base: and we would find it itself well "second," well elaborated.

171 The contrast nonetheless blazes out, in relation to the Chieuh /Shluh/ world, for this economy, these mores, and especially this organization. Relation of political unity here communal, the

171 /405 cont./

taqbilt; there federal; the thaddert, with their subdivisions on the one side, their multiples on the other side. Treatment of the natural milieu, attachment to institutions or to transcendent values finally: ~~all~~ seems differently arranged on the two sides. Although the materials are perhaps identical, it is this diversity of arrangement that determines the general judgment.

Here, on the contrary, is the Aurès (1).

1. G. Marcy, "Cadre géographique et genres de vie en pays chaouïa /Geographical cadre and ways of life in Chaouïa country/, "L'éducation algérienne, 1942, pp. 28 sq.

The analogy of the physical milieu, of the economy, of the ways of life directly suggests comparison with the Haut /High/ Atlas. The tribes, abstraction made from numerous personal varieties, and with a general hue of rusticity, strike the observer by their adaptation to the chances of a difficult country. Sedentary, doubtlessly, but in perpetual movement. This is a sedentariness with successive stages. These people play fully on the clavier that offers them four climatic formulas: valley horticulture, cereal crops on the heights, transhumance of animals, and recourse to the border resources of the Sahara. Whence a system of displacements far exceeding in complexity what Morocco can offer as analogy. An incessant "remue" /moving/ expresses in mobility of enterprises, in variety of techniques, a remarkable exploitation of the geography. Like the arrangement by valleys where the villages are echeloned, this utilization of the differences of level, this montagnard privilege of strewing herds or tillage in the plain recall, in a profusion of combinations without any doubt superior, traits observable in Morocco. The country's general allure itself, with its streets of greenery, its tilled slopes, its forested summits, the bareness of the high arêtes, across the differences in morphology, presents the same elements of an economy peasant and pastoral at the same time: but the one of the Aurès owes to a position more concentrated between the Mediterranean and desert influences new vocations, a more acute nervousness.

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171 The resemblance is further accentuated in the habitat. Same joined villages, same houses with terraces, only driven more in- to the slope, and as if closer to troglodytism. Certainly, stories are much less widespread, the same as /406/ the loggia. Except for nuances, the texture of the masonry, the arrangement of the square of open air in the middle of the covered one, the tunnel streets: everything of the Chleuh /Shluh/ village is found in the Aurès dechra. Same techniques for retention of the soils and distribution of water. The irrigated tammurt of Menāa reminds one, as its very image, even though in a botanical variety pushed further, of such a southern Moroccan tamazirt. Here is the "ditch," targa. It flows from the "basin," lmajen, or from the "dam," ssedd, branches down to the last "platbands," isura, and to the "cuvettes," th'ud', skillfully arranged at the foot of the apricot trees. "Murettes" /low walls/, tirutin, set off tiers of crops. On the neighboring slopes, in the dry, gentle epaulements break the declivity and set off long, unraveled fields, ir^caqay. The intense manipulation of earth, of water, of animal manure gives a harvest destined for ensilage and for preserving. Terms all the more obligatory because this life, with continual displacements and subject to terrible hazards, demands reserves at a fixed point. Another analogy with the Morocco of the igudar. The "granary-citadel" (1)

1. G. Marcy, "Un règlement coutumier de guela^c chez les Chaouia de l'Aurès /A customary regulation of guela^c among the Chaouia of the Aurès/, " L'éducation algérienne, 1942, pp. 33 sq.; a substantial article by Mme Faublée, which was communicated to me in manuscript before appearing in the Journal de la Société des Africanistes, 1953.

of certain Aurès tribes, aqli^c, abound, for example, among the Beni bu Sliman, who store their grain there between two

/406 cont./

171 migrations towards Biskra, the Dikhla, or the high territories of Tafrent.

What is to be said about institutional resemblances that sometimes go as far as identity? Without speaking of these codifications, of granaries or other things, where a very general base is perceived, here is a society which organizes, as has been seen, the landed interlacings of "fractions," where the ubiquity of the family habous, the generality of sales under resolatory conditions protect the landowner patrimony and tend to maintain the seat of the group. Let us descend into the reddish fault where the village of Buzina has been built conically. Let us make our way downstream from the springs amidst the murmuring waters, the rumbling of the hydraulic mills and the bustle of the gardeners. Let us speak with these Chaouia graybeards rich in origin legends and so faithful to the juridical tradition that, even in penal matters, their law is applied concurrently with the French law. We shall experience, in truth, the poignant sensations of Maghrebi, montagnard, and Berbère /Berber/ identity.

000 But here is in what the two societies diverge.

The precise organization of the granary-citadels is not at all the deed of the village grouping here, but of the agnatic subdivisions /407/ of the tribe, called nah X, nah Y, etc., which our territorial norms have effaced no more than the Arab entity of the Carch has. In Beni bu Slimân, for example, they are about twenty, for about fifteen granaries, of which each agglomeration counts up to five: thus at Channâura. In principle, each subdivision possesses its own, or, if it has grown in number and prosperity, several of its own. But the original granary sometimes corresponds to an individualized gentilitial agricultural perimeter, a sort of flight base, which can be indicated to you. Thus at Bu Yighd, beneath the impressive cliff of the col of Ferqus, for the Nah 'Abderrezzâq who concentrate there a vast "habous" of plain and plateau, marvelously notched with ressauts, talus, and ledges for the conservation of water and lands. The assembling of Aurès families into the "tribe" has not been, at least in this, up to the synthesis that the agadir of the Moroccan South expresses.

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000 Correlatively, the status of the woman (1)

1. The essential work is that of Mathéa Gaudry, La femme chaouia de l'Aurès /The Chaouia woman of the Aurès/, 1929. In what concerns the application of the fiqh, G.-H. Bousquet, R. al., 1952, pp. 109 sq., R. afr., 1952, pp. 449 sq.

evokes an "Iron Age" that no ethics of general or local inspiration, no regulations come to soften. Almost always disinherited, defrauded of the qadāq to which she can lay claim only after the death of the conjoint, deprived of the benefit of the very dispositions that the family habous stipulate for her use, she was in certain tribes given up to prostitution. The sexual liberty of the Cazriya, "single woman," is inserted moreover in a system that one divines to be ancient, and where she plays her official rôle with compensatory revenue and traditional function.

The weekly markets are lacking: Monetarism has penetrated so little up to now that formerly, at Tkout for example, it was once a year, at the feast of sidi Abdesslām, that the commodities were tariffed and the amount of the fines fixed. Grave discordance with the Chleuh/Shluh/ world, formed so in the laws, in the play of money, maintained by speculative exportation, the hoarding, devastated by inflation, and where all the exchanges are equally stamped by communitarian values and by individual capitalism.

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181 Above all a strong institutional inequality sets the Chaouia society, as well as, moreover, the Kabyle society, against that of the Sous. The privilege of the latter, in comparison to the two others, lies in a greater maturity of the state organization, more ample references of the social system to the external and transcendent. Perhaps this transcendence comes from /408/ Islamic universals, with which a balance was knowingly sought. Perhaps, on the contrary, from collective symbols linked to certain periods of the past. These are two plausible explanations of

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171 an essential fact. On the other hand, Chleuh /Shluh/ life does
181 not have the violent complexion of the other two. It does not
know to the same degree the hyperboles of gentilitial honor, any
more than it as spontaneously arouses the analogy--be it super-
ficial with such Mediterranean images of not long ago: the Corsican
bandit of honor, the Albanian highwayman. What characterizes
it, besides the singularly mature level of organization, is a pious
and regulated pace, of more patient virtues, of more complex
sentiments, more in half-tints.

171 That way, and in spite of everything that might oppose a
peasantry to the townsmen, military vigor to mercantilism,
haughty orthodoxy to a no less devout heterodoxy, an airy and
muscular existence to the shadow of the mosque and warehouse
-- it is of the Mzab that these latter traits make one think. The
richness of historical, legendary, and doctrinal foundations, a
double vocation that is spiritual and trade, the precision of the
play of its subgroups, qbail, within communities, a juridical
organization balanced between corps, recorded by writing, rich
in jurisprudences burst forth there (1).

1. L. Milliot, "Recueil de délibérations des
djemâ^c a-s du Mzab /Collection of delibera-
tions of the djemâ^c a-s of the Mzab/,"
R. E. I., 1930, p. 193.

The Mzab thus offers several of the aspects that have appeared to
us both constitutive of the Chleuh /Shluh/ society and distinctive
from it in comparison to other Berbère /Berber/ societies. This
time, however, institutional superiority is not on the Chleuh side.

000 What one can surmise, through too rare documents, of the func-
tioning of the Mozabite ittifâqât proclaim a surprising success.
The cities are governed by a consistory that is both senate, be-
cause of the meeting of the qbila delegates, and moral magistracy
because of the presence of clerks. A jurisprudence as attentive in
regulating the equilibrium of the families as in censoring the
mores or in resolving the problems of the hour has left us its

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000 valuable testimony. Its sanctions are strangely archaic; ostracism, for example, of which it made great use (2).

2. Id., ibid. The text cited, p. 205, distinguishes five kinds of exile.

Because it knows how to maintain, in a constant effort of adaptation to modern life and of Islamic rigorism, inspirations more profound and older than any juridical or religious formulation: the idea of forces attached to the territory, for example. Its success resides there, the principle of which has not even suffered from the French laicity, for it was posed /409/ on another plane. And a solid proof of authenticity, a sign of juridical perfection to the Berbère /Berber/, is this h'awt'a of Ghardaya, with its ellipse of flagstones borrowed from tombs, and where the deliberation of the jurists, the cunning of politicians are ennobled by the mysterious complicity of the dead (1).

1. Characteristic jurisprudences in the article by G.-H. Bousquet, on a "Recueil de délibérations à la mosquée de Beni Isguen /Collection of deliberations at the mosque of Beni Isguen/," Ann. I. E. O., 1951, pp. 18 sq.

171 The Moroccan South offers nothing as advanced as the Mozabite constitution. But it surpasses this type with all its rural power. Here one is no longer shut up in the schism, the minority, the more or less clandestine exception. The Chleuh /Shlul/ system extends over immense portions of the country and today has even invaded the large towns. One day this expansion will be able to bring about between agriculture and industry, with strong rural virtualities and the concentrated spirit of the cities, this synthesis which has as yet been lacking in the history of Morocco.

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Elements Offered By the Type To the Social
Morphology of the Maghreb

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Thus the Seksawa type, and more broadly the Chleuh /Shluh/ type, can be placed in the ensemble of the Berbérophone societies of the Maghreb. If the area considered here bears educational value for the rest, this would be less a postulate than a research hypothesis. It would be authorized by two considerations. These high valleys are a historical refuge attested to for a thousand years of Moroccan history. From the time of the Almohades they have played the role of relay of independence and of the continuity of the Maqmûda. This remark, exact in a general sense, must, however, be appropriately nuanced, indeed circumscribed. On this one returns to the pages devoted to another, likewise essential aspect of this milieu: the transactional equilibrium that it realizes between rival cultures. Hinterland husbanded, but engaged in the Almohade adventure, principality obstinately rebellious against the central power, the Seksawa seem to have lost, from the end of the fourteenth century, and because of being cut off from their plain, any possibility of a constructive destiny. Since those remote times they have kept a miserable independence. Cabinet of antiques, archeological witness: they are certainly this, and would have remained such up to our day if, within the enceinte so well safeguarded, so many collapses, morcellations, had not occurred.

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In that at least they always approached the general. From there a /410/ second concern. Surrounded by this permanent disaster, the eternal Maghrebi vitality perpetually revivifies the exhausted corps, irrigates this waste, repopulates the empty spaces. Everywhere the old unraveled, tattered tribal tissue recomposes itself. The immigration from the South comes to mend the tears, remake the life, perpetuate a tradition. Thus, refection opposes destruction; reform, the decadence.

The Seksawa offer even more than a privileged case of collective identity. Under a historical guarantee rarely equaled in other rural milieus of North Africa, they illustrate with richness and precision an entire charter of exchanges between the group

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çoff, leff (1).

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1. Cf. J. Berque, "Qu'est-ce qu'une 'tribu' nord-africaine? /What is a North African 'tribe'?" Mélanges L. Febvre, 1954, t. 1, pp. 261 sq.

On the contrary, spatial denominations, founded basically on the prodigious richness of words designating the organs of the field, carry a precise meaning, up to the highest echelons. The name of Tamgonsi, of Tassila, of Ibubān arouses the clearest images. And also that of Seksawa, envisaged as that of a hydrographic basin. Hazy on the contrary, and irreducible to analysis, if one has it suggest a human ensemble which would be defined by something other than precisely the name and the habitat. Nothing else in fact, on this level, that explains, for the Seksawa, the exact nature of this formation.

The Taqbilt of the Haut Atlas: A Pole of Explication

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In the taqbilt, on the contrary, a group structure is organized with a country structure. The names are both the sign and the agent of this organization. Would it be to strain the expression to say at what point the originality of such a form resides in the combination that takes place there between linguistics and geography? If the synthesis is meticulous here and full of orders of things for which the North African societies never offer discovery of the same genre, at least of the same degree, the study of these societies will have available a useful criterion merely to measure in them the presence or absence, the incoherence or connection of these various elements.

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An example: the ideas of bounds, of ground, of quarter are found more or less in all the countrysides of the Maghreb. I pass by the idea of named place, in which one confuses them, often wrongly. But nowhere up to here, other than in the Haut-Atlas,

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103 has one been able to observe the astonishing adjustment that they can reach. Thus, in the plains and on the hills of the Gharb, a toponymic network covers the whole countryside. Its meaning is all the more obscure since it does not usually correspond to a visual division. The landscape is homogeneous and diffuse. Whence the unintelligibility of facts for which the Chleuh /Shluh/ country offers an immediate explication. Remainder that, were it in the grounds with profound /419/ landed-property disaggregation, like the Gharb, the study of laws which govern situations and landowner ambitions between rival units, and of the figure that they assume on the soil thus disputed, would be fruitful. This study has never been attempted. It would undoubtedly cause one to plunge very deeply into the knowledge of "Arab" groups, manifestly imported into the country -- the Sofyân and the Beni Mâlek --, but whose comportment nonetheless corresponds, we believe, to such characteristics as we have tended to attribute a bit too exclusively to the "Berbères." Certainly the populations of the Gharb were neither very anciently nor very well established. Their struggle for identity is not the one observed in the Haut-Atlas: a dialogue between group names and place names. It is that of a genealogical interpretation. And our sociology grasped it as such already more than half a century ago. Calling in question what the indigenous explanation obstinately attributes -- at least so one believed -- to the community of origin, it has shown the major part of the successive additions that ended by forming, in spite of, but around an ancestor fiction, the very material of the group. This system bears, since E.-F. Gautier, who largely brought it out, the name of "biological" system. It is thus conveniently opposed to the European system, above all topographical, and with which it can maintain many eloquent antitheses. It is no less opposed to the system of the Haut-Atlas.

182 In fact, from the ikhs to the taqbilt, the interpretation by common ancestry touches only a minority of cases here. What counts is the connection between elements from all horizons. It is evident to the member of the group, and in practice is expressed by an agrarian order. This is a phenomenon quite different

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182 from a successoral distribution. Here the jema'a begins, one might say, where there is no longer natural or conventional kinship. Or rather -- since the preceding formula arouses the idea of a composition starting from the family -- the specific attribute of the group is that it is divided into heterogeneous subgroups, that this heterogeneity results from a diversity of origins of from other variations. One could say as much of the Kabyle thaddert, or of the Mozabite city.

Let us set in opposition the Arab tribe, which we are going to observe in the Orient, so as to eliminate from the type the influences and the evolutions peculiar to the Maghreb (1).

1. P.-A. Jaussen, Contumes des Arabes au pays de Moab /Customs of the Arabs in the country of Moab/, 1908, pp. 107 sq., and the masterly account by Hertz, Ann. Soc. t. XI, pp. 323 sq. Cf., more recently H. R. P. Dickson, The Arab of the desert, London, 1951, pp. 108 sq.; G. W. Murray, Sons of Ishmael, London, 1935, pp. 35 sq.

The veritable unit there is what /420/ P. Jaussen improperly calls the "clan," united by consanguinity or adoption. It is the h'amûleh or Cachîreh. Everyone is supposed to have descended from an eponymous ancestor. Several clans form the "tribe," qablieh, indeed the "confederation," bedfideh, loose and unstable groupings. "The clan serves as model for any community whatever it may be. The tribe also claims identity of name and blood, by the derivation from a single ancestor." The cult of this ancestor appears even characteristic of the Bédouins, governed by the agnatic formula, whereas that of the saints, with territorial basis, reigns almost exclusively among the sedentary peoples. Such a form is naturally no longer to be seen in the pure state in North Africa. For all that, it reigned there at certain periods or in certain zones -- and one thinks of the Bédouin organizations that the Hilalians were able to propagate -- no doubt it was opposed, trait for trait, to the type of the Haut-Atlas.

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619 whole, the exceptional character of this type, as rich in methodo-
634 logical import as it is vulnerable to circumstances, lead the anal-
ysis to envisage, by a new advance, the body of broader relations.

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III. Broad Formations

The "Leff" Solidarity: Related and Concurrent Forms

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The theory of the leff-s, the general expression of which dates
back some twenty years (1).

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1: R. Montagne, Les Berbères et le Makhzen dans le Sud du Maroc /The Berbers and the Makhzan in the South of Morocco/, 1930. Previously, partial observations or rough outlines of the theory in C. Devaux, Les Kebbiles du Djerdjura /The Kabyle of the Djurdjura/, 1859, who gives, p. 40, a map of the coff-s, where the famous "chessboard" is recognized. Hanoteau and Letourneux, op. laud., t. II, pp. 11 sq. In the Constantine S., the opposition of the Bu^cokkâz coff to the Bengana is figured in the Aurès by a reciprocal exchange noted by the Commissaire of the Sénatus Consulte (Schaeffer Report, arch. of Aris, 20-4-1890: significant map). Masqueray, Formation des cités chez les populations sédentaires de l'Algérie /Formation of cities among the sedentary populations of Algeria/, 1882, p. 167, recognizes these divisions, but gives a simplistic explanation for them. In Morocco, de Foucauld, Reconnaissance, 1888, pp. 318 sq., describes, apropos Sektana and Gezulla, what is quite precisely the balance of these two leff-s, less, however, the name. This last is stated by Ed. Doutté in his very rich article on "L'organisation sociale et domestique

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footnote 1 continued/ chez les H'âh'a /The social and domestic organization among the H'âh'a/, "Afr. fr., Rens. col., 1905, p. 15. The author saw that this institution is an element of makh-zanian politics. De Segonzac, Au coeur de l'Atlas /In the heart of the Atlas/, 1910, mentions the play of the leff-s in Chyâd'ma, p. 421, ^cAbda, p. 453, etc. Aug. Bernard, quoting Doutté, shows this play being exercised in oriental Morocco, Les Confins algéro-marocains /The Algero-Moroccan Confines/, 1911, pp. 104 sq. But it was the privilege of R. Montagne to revive the question by plunging the study of these dualisms within the economic, juridical, and political context of the Moroccan S. and of the ensemble of Berbérie /Barbary/. His thesis is affirmed little by little in a series of monographs beginning in 1924. After Les Berbères et le Makhzén dans le Sud du Maroc, the only essential contribution is that of Col. Justinard apropos the Tagizzult and the Tah'ogg^{at} of the Anti-Atlas and the Sous: "Notes sur l'histoire du Sous au XVI^e siècle /Notes on the history of the Sous in the sixteenth century/," Arch. mar., 1933, pp. 59 sq, 76 sq.; above all he translated an important text of the eighteenth century, La Rihla du marabout de Tasaft /The Rihla of the marabout of Tasaft/, 1940; he takes up his thesis, pp. 173 sq. Cf. c. r. /report/ by R. Montagne, "Les leff-s berbères au début du XVIII^e siècle chez les Masmouda /The Berber leff among the Masmouda at the beginning of the eighteenth century/," Hesp., 1941, pp. 92, 93 sq., where the theory is greatly enlarged. Since that time, the principal contributions have been the cartography of J. Dresch, 1941; the monograph by Tuder, "Anciennes divisions et alliances en pays Imerhan /Ancient divisions and alliances in Imerhan country/," in CHEAM, 1946; an account by

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/footnote 1 continued/ Marcy, taking up an interesting Aurès legend, "La tribu berbère: structure, leffs," in CHEAM, 1941; the application of the theory by Mme Dj. Jacques-Meunié, Greniers-citadelles du Maroc /Granary-citadels of Morocco/, 1951, pp. 218 sq.; and especially, in a region little known up to now, a monograph by Cauneille, "Les ligues du S. tripolitain /The leagues of the Tripolitan S./," in CHEAM.

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resolves the Berbère /Berber/ structure of the Maghreb into balanced dualisms, with corresponding broad zones. Would it be to make system out of necessity to emphasize the extent to which the value of these dualisms rests in the confrontation of names, rather than in their content? This last has merit above all, if I may venture to say it, because of its very indecision. R. Montagne extends the thesis to /425/ the entire sedentary Berbère world. He shows that its applications are susceptible to variable rigor, to modalities unequally full or decadent according to the sectors. The criterion would be the density of the content, still perceptible particularly in the Anti-Atlas where the Tagizzult-Tah'ogg^w at opposition would recover that of two layers of peopling (1).

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1. R. Montagne, Les Berbères et le Makhzen dans le Sud du Maroc, p. 214. This interpretation, toward which R. Montagne as well as Colonel Justinard seem to lean more and more, has not up to now been compared, I believe, with the one that Moroccan Judaism gives of its own division into "natives" and "immigrants." The comparison nevertheless should be made.

(171) In fact, these dualisms arise from a general theme. R. Montagne has pointed out examples of it in Arabia, Kurdistan, and elsewhere. In a form more or less balanced and complete, more or less alive or degraded, being inscribed in the geography, unless it

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Would it be simple tautology to emphasize that if the Idaw T'anan thus escape the dualism of the leff-s, it is because of such an originality? The force of their internal rhythm, by three and not by two, has been able to keep alive among them a tension sufficient, it seems, to exclude the other formula. Let us note that in certain respects, the tripartition of the a. H'adduyws, for example, could account for analogous effects. But in this case it expresses something entirely different from an organic division. It arouses rather the idea of artificial fractionings, resulting from more or less official and deliberate simplifications, which other ensembles offer. The truth is that it is necessary to study at length the individuality of each case in order to extricate the meaning. The example of the Mtugga can be cited symmetrically to that of the Idaw T'anan. No leff-s among them either. But it is not because the course of Bwabbut' surpasses, by an adventure geographically, technically, and sentimentally superior, the mediocrity of the montagnard case? Among them, too, the system proper excludes external borrowing. The classificatory role of the leff-s is supplanted here by a broader obligation, as it was in Idaw T'anan /431/ by a shorter rhythm. It is therefore not impossible that the exception to the general bipartism that the Seksawa represent is moreover connected in their case to a certain specialty. Specialty of a history and of a tradition responsible for a very personal comportment.

Thus, when a group apparently forms an exception to the bipartism of the leff-s, it is perhaps because it is supported by a tension of another type, peculiar to it, and which may be different in each case. Such a viewpoint orients the research into the fruitful avenue of varieties of groups, so characteristic of the Chleuh /Shluh/ ensemble. It also agrees with two traits of observation. First, that the dualism of the leff-s would be above all onomastic; then, that it may be replaced by classifications of another genre.

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Considered from this angle, the theory of the leff-s is going to come out of the montagnard and Berbère /Berber/ isolation where it was cantoned in spite of evident and embarrassing applications that have turned up here and there in Arab countries, in the Sahara

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or on the Hauts Plateaux /High Plateaus/. Truthfully speaking, it is intelligible only in this broad, analogic context. Replaced in an area going from the Saharan socle to the littoral of the Maghreb, the facts of the Sous, of Kabylia, of the Rif are amenable to the same institutional ensemble as the relations of protection between nomads and gardeners of the oases (1),

1. Dj. Jacques-Meunier, "Les oasis des Lektaoua et des Meh'amid, institutions traditionnelles des Draoua /The Oases of the Lektaoua and of the Meh'amid, traditional institutions of the Draoua/," Hesp., 1947, p. 420.

as the hierarchies between Mauretanian tribes (2),

2. In. /unpublished/ note by Ahmed Miske Ould Atiq, Hormas et Ghafers, Atar, 1935. Contribution au coutumier indigène /Contribution on native customary law/, Cercle de la Baie du Lévrier, 1931.

and as the still living dualism between Touareg /Tuareg/ "nobles" and "vassals" (3).

3. Besides the work of Foucauld, Duveyrier, H. Lhote, Les Touaregs du Hoggar /The Tuareg of the Ahaggar/, 1944, and oral references by Lieut. Berthé.

The relations between imochar and imghad have in vain affected the most precise modalities, in essence both chivalrous and fiscal; they are nonetheless irreducible to the analysis of origins, just like the Maghrebi dualisms (4).

4. The amzid is often richer, and as martial, as his suzerain, notes H. Duveyrier, Les Touaregs du Nord /The Tuareg of the North/, 1864, pp. 334 sq.

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/Footnote 4 continued./ The origin of the
"dues," tiussé, is incomprehensible.

Even in the latter, any qualitative nuance is not excluded. In the Anti-Atlas, the Tah'ogg^wat is opposed to the Tagazzult, as what is less "chic" is to what is more so. If this already ancient notation is highly instructive, what will the comparison with the series, similarly, but more strongly dissimilated, of the Sahara be? In these last there prevails a plenitude of content, whose system seems little by little to be stripped away in proportion /432/ as it is applied to zones nearer the Mediterranean, and more signs of its dry, reasonable, and individual genius. Is not this impoverishment the ransom that must be paid, one might say, in order to be admitted into the classic culture? The antagonisms in it tend to preserve only the formal arête. At this stage the notion has little but nominal value. It is an antithesis without content. Such as we observe in the Haut Atlas, and even more in Kabylia, where it crops out in the most modern electoral debate.

A perpetual exchange appears to operate between configurations of consistency and breadth as discordant as these "balanced dualisms," the simple leagues, and the thousand regroupings of politics or of faith. Basic structures, tactics, tendency and fantasy are then inextricably mixed. Whence a constant reaction of each on the others. The morphological virtue of great style that the antithesis of the leff-s, or of the goff-s, possesses, when it strains all its geographical breadth -- this is the case for the Haut (and for the Anti-Atlas, in the same way as for the Sous; that of oriental Morocco; that of the Constantine South with the confrontation of two great familial parties -- is often broken, exploited, disguised. But it may also be revived in new kinds. The old dialectic then becomes that of electoral propagandas, and tends to be no more than that of a "right" and of a "left" to the French one (1).

1. The matter is current in the elections in Kabylia. Cf. the interesting study by Laurette.

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/footnote 1 continued/ "Aspects de la vie sociale en petite Kabylie /Aspects of the social life in Little Kabylia/, "ESNA, 1951, pp. 21 sq.; Jean Menaut (Aug. Berque), "Circonscriptions arabes et kabyles aux Délégations financières /Arab and Kabyle circumscriptions to the finance Delegations/, " Bulletin du Comité de l'Afrique française, 1935, pp. 64 sq., with historical reminders. In Tunisia, two coff-s are affirmed and defined in the long struggle of the bey Husayn and his nephew Ali pacha at the beginning of the eighteenth century. They are the Husayniya and the Bachila. The interference between the tribal antagonisms and a conjuncture of central politics from which they borrowed their names is significant, Cf. J. Despois, La Tunisie orientale, Sahel et Basse-Steppe /East-em Tunisia, Sahel and Lower Steppe/, 1940, p. 208. The coff, Europeanized, modernized, has become in Algeria a literary theme that runs, for example, through all the work of R. Randau.

In these movements, there is more than an evolution that destroys or restores, modifies or refreshes. There is their very possibility. It expresses a fluidity of terms, an aptitude for substitution, a facility and almost a gaiety in the exchange of territorial and moral forms, which seem characteristic of North Africa.

Examples of Variations

000 The theory of the leff-s, in its classic formulation, made much of evolutions of this genre. It noted that the name of such a great /433/ league is none other than that of a more limited assemblage found by a chance discovery in Almohade archeology. The inverse is also observable. Such great constellations or "races" of the Maghrebi Middle Ages have only left their name to puny tribes: thus Zenâta, Maçmûda, Ghomâra, etc.

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preceding notations will suffice to support a judgment, moreover above all critical. It is legitimate to conjecture a constant fluidity between denominations of groups habitually distinguished by the user as well as by the research worker. The surprising thing is not that interferences should be produced between agrarian or urban confraternities, corporations, territorial cadres and genealogical systems. It is that they should be so numerous. It is that they coexist with an evolution that belies them on many grounds. [171] Between forms such as tribe, confederation, league, coff, leff, party, even qualifications within the hierarchies of the profane and of the sacred, the exchange has been perpetual in North Africa, and still continues.

Morphological Thresholds

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[695] Let us return to the native interpretation. It brings together the fraternity of leff with that of blood or of the oath. This proximity may be attributed to the decadence of the types. But let us note that many of the traits that in our view distinguish these three notions amount to a morphological variation linked to the broadness of play. From the least broad cadre: this ground where, the patrimonies are organized, to the broadest: the whole section of the Moroccan South that covers the chessboard of the leagues, several thresholds are interposed. Each indicates a changing of social rhythm.

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[613] As has been seen, on this side of the first threshold, the small taqbilt of the Haut-Atlas prevails. It forms its agnatic subdivisions without anything /437/ being interposed between their strife and its order. This is not to say that this strife, in certain respects, does not go beyond internal law. But the ikhs indeed has the feeling of consanguinity, and many of the conflicts that it has with the other ikhs-s are amenable to sworn law. The cadre of the taqbilt, although it carries within itself an explosive force, moreover owes to its agrarian correspondences an exemplary distinctness. (Opposite to this, the genealogical tribe never offers in North Africa, we believe, as pure an example.)

/437 cont./

000 "tribe," the Carch, is formed and unformed /438/ according to the political event. With stronger reason, the episodic aggregate of the tribes in taqbilt. Let us note this term. It is employed more exactly in Kabylia than in the Atlas, for there it keeps its philological sense of primary subdivision of the "people." This is the sense in which Ibn Khaldūn spoke of Almohade "groupings," qabā'il, such as the Genfisa. However that may be, the Kabyle taqbilt has only circumstantial existence. The present electoral struggles see it play its role, just like the Carch, and pierce the centenary alluvion of a public life in the French manner, in the direction of insidious, but powerful apparitions. The coff-s work more broadly than the taqbilt, but in more diffuse, more abstract fashion. In certain cases they are identified with a Carch, covering an entire section of mountain, as appears to have been the case under the Turks. But sometimes too they oppose the thad-dert-s in reciprocal movements. The whole polarizes sometimes in two terms: the "upper" and the "lower," whose constancy up to our day is conjugated paradoxically with an availability of individual evolutions much keener than anywhere else in North Africa.

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These Kabyle illustrations of a general phenomenon of variation carry in the case at hand some other information on the terminology of the groups. The Chleuh /Shluh/ taqbilt, as an aggregate of families, does not correspond to the taqbilt of the Djurdjura /Djurdjura/, a broader, but incidental form. In the Mzāb, yet other differences. The qbila is above all onomastic. It is conceived as a unit that has had its history, before the founding of the five towns. Its concentration in the urban habitat has undoubtedly reacted on its form. But all of its own tensions has not been effaced in it. Other Saharan towns with characteristic divisions, and less refined civilization, would permit comprehending a whole gamut of relations between the vitality of these groups and that of the city.

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Indeed far, therefore, from the fact that the passage from the gentilitial order to that of the state presents itself everywhere with the privileged simplicity of the Haut-Atlas, the ikhs itself, or

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- 171/ what corresponds to it in the rest of the Maghreb, is not always a
613 clear notion. In the Sous, it is reduced by and large to consanguinity. The pacts to become united by fraternal ties that are observed in rich and varied fashion in the Moyen /Middle/ Atlas on the one hand, the influence of another system, that of uterine succession among the Touareg /Tuareg/, on the other, elsewhere introduce a great diversity. Sometimes, in the Gharb for example, or the lower Chaouia, disaggregation has acted so that the family is reduced to the conjugal couple and tends toward an extreme type: the adventurous bachelor, this ^cazri found in the shanty towns. But opposite them, within the Chleuh /Shluh/ ikhs itself, the relations between foyers /439/ are not governed by any patriarchal indivision. All this, in the present phase, is, from one end of North Africa to the other, stirred up by a formidable evolution.

000 Depending on the milieus, it is such-and-such an aspect, such-and-such a principle, lacking or attenuated elsewhere, that predominates. On the importance of the pacts of protection in the Moyen Atlas depends, in Mauretania or in the Ahaggar, that of the hierarchies of groups. In Kabylia the most corroded organizations coexist with a political agility of modern type. A classification of the North African populations could thus be sketched. According to the geographical area, the unequal role played by such-and-such a theme, the degree of appurtenance to such-and-such a cycle, would undoubtedly furnish the bases for a division about which one can say unhesitatingly that it is for the moment premature.

But that will be not merely regative findings. At this point in our inquiry, the morphology of the Maghrebi groups already lets some of its traits be glimpsed. To its differentiation in space, and reacting on it, is added another: the variation of the signs that, according to the place or period, any formation of a certain size borrows. As the cadre becomes larger, a variability of names revives, all the more difficult to grasp because they evoke in turn diverse conjunctions of age, of extension, or of dignity. Hence all sorts of confusions become possible. And not only for the investigator, but for the native, for they open to the latter a fine

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[197] /444 cont./

/footnote 1 continued/ the Niger, cf. "La langue berbère au Sahara /The Berber language in the Sahara/, " Cahiers Ch. de Foucauld, 1948. p. 12.

- 171 In the juridical matter itself -- and it is this that most obeys the group compartmentalization -- there exist throughout the Maghreb curious coincidences between a so-called "bédouine" /Bedouin/ practice and certain so-called "berbères" /Berber/ practices. Finally, various traits have led us to think, especially apropos matrimonial customs, that Fès /Fez/, capital of the fiqh, is such also, in certain respects, for a singularly tenacious customary law. These disconnected indications do not aspire to give proof, which one is not in a position to do for the moment. They simply seek to cast doubt upon simplistic classifications. Our knowledge of North Africa is not yet profound enough to reach basic elements: Arab, Berbère, or others. That is perhaps the ossature, and the ossature of the living being is not touched. We have not come to the study of a skeleton, or even to discerning a physiology whose functions for the most part still escape us, or are driven back by evolution into an inaccessible past. The only thing that is offered us is a living tissue. But this tissue is without break.

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177 It would certainly be paradoxical to deny the personality of vast and strong zones such as this Chleuh /Shluh/ world, whose persistent originality everything attests to. But if, at the very center of this world, in the /445/ most rugged mountains, in a milieu whose particularism bursts forth, analysis encounters such a dependency upon the exterior, what will it be for milieus more accessible or more inviting! Still on this point, a lesson of geographical and historical continuity becomes clear from the Sek-sawa type. Allowance once made -- it must be great -- for the laws peculiar to the Chleuh /Shluh/ world: a certain sort of morcellation and of unity, the confused reference to external and internal symbols --, this lesson can be understood for the entire Maghreb. Homogeneous, for one sees the same themes circulate

/445 cont./

177 in it, the same problems posed, sometimes the same solutions in-
171 tervening from Fès to the Atlas and from the Gharb to the Djérid.
At the same time heterogeneous, if one thinks of the no less im-
portant evidence of varieties of comportment going so far as
violent affirmation, secession and insurrection. Most often, it is
institutional denivellements, shifts in emphasis, themselves arising
from local structures, that introduce variety, indeed discordance.

000 When the study of these phenomena is undertaken systematically
for the ensemble of North Africa, the richness and the precision
of relations that it will discover, their firmness of contour, the
constancies that will stand out between the most modern evolutions
and the oldest foundations will no doubt console the investigator
who has found nothing here that calls to mind the Dogons and the
Nambikwara.

177 Contemporary sociologists describe under the name of accultu-
ration the transformation of a society in contact with another, ex-
pansive or superior. There results on the part of the more recep-
tive one, the client or the conquered, an instinctive simulation of
the most intimate realities, a search for arguments drawn from the
model. A mass of ancient traits sinks into a system of survivals,
of practices more or less clandestine or disdained. The same in
the individual consciousness. Folklore on the one hand, psycho-
logical vestiges on the other. The reaction of the Maghrebi system,
formerly in regard to the Orient, today in regard to France, points
up in many respects this sort of phenomenon. Mixed and adulter-
ated society, certainly, and from as far back as one goes. Society
in which the problems of reinterpretation, of opposition or of
transac-tion have outweighed all others. But in this eternal con-
flict it takes on such a strong personality that even its most pro-
tected cantons remain unintelligible to one who does not consider
them from the dimensions of a whole space, a whole history.

/446 cont./

181 or modern, adepts of oriental universalism or obstinate champions of a custom, anarchic uprooted ones or believers in a patriarchal tradition.

The visage of this society is therefore often only falsehood or alibi. It is deciphered only by reference to the ensemble. But the ensemble is deeply disturbed or altered. Between its parts, the relations of origin, of connection, or of function are neither those that the user acknowledges nor those that the investigator expects. Thus, the repressive law maintains the communitarian vigor in which Durkheim sees an ancient trait (2).

2. E. Durkheim, De la division du travail social
/Concerning the division of social labor/, 5th
ed., 1926, p. 42.

But is it not this trait that is expressed and renewed in the /447/
montagnard codifications up to our day (1)?

• (17)

1. The Kabyle qānūn-s, still alive around 1930,
maintained at this time a debate of actuality.
L. Milliot, "Nouveaux qānūn-s kabyles /New
Kabyle qānūn/," Rens. Col., 1927, p. 113.

182 There is not archaism there, but desire for archaism, which opens completely different paths for the analysis. Restitutive law has found special ministers, often outside the commune, and, for more surety, imbued with a learned law. But this is only a façade. Rural life obeys something else. In the middle of the twentieth century, the distribution of water and of the soil expresses a harmony that everything has contradicted for a long time. An agile mobilization may act on the surface, it respects the rule. A gentilitial order remains in the landed property, whereas it has been effaced from the rites for centuries. But has it actually remained? Does it recall a former stage, or, on the contrary, does it not arise from historical initiatives? A co-operative system with harsh calculations is practiced in a communitarian

/448,cont./

- 12/ the interpretation of the group by itself. It is in this that the
184 Chleuhs /Shluh/ are most opposed to the other Berberophones of
North Africa, Mozabites excepted. Internal cohesion, triumph-
ing over disparities or utilizing them, thoughtful evolution, tac-
tic with regard to the outside and reform from within: that places
their system upon an entirely different level of personality than
those of the Moyen-Atlas /Middle Atlas/ or of Kabylia (1).

1. And that provides us with a principle of
classification of the various systems more
sure, we believe, than the one that the late
Marcy drew from a criterion of decreasing
"primitivité."

[197] I come now to an even more striking characteristic: the pro-
digious variety of the societies of the Atlas and of the Sous. The
speech changes from valley to valley, and not only the speech,
but the words, each independently of the others. What is true of
the language is true of the law, rites, folklore. From canton to
canton the style of life, spirit, even the physiognomies change.
As the space grows smaller, the nuance becomes aggravated. The
exiguity of the groups, the minutiae of local subdivisions are com-
pensated by the density of characters. This density acts upon the
landscape itself. The ground is divided into quarters, just as the
group is into *ikhs*-s. Techniques of work and toponymy conspire
in extraordinary accords with a humanity of sampling. This is in-
deed far from the alleged undifferentiation, from the so-called
"mechanical" juxtaposition between similar social segments that
some have found in Kabylia (2).

2. R. Maunier, Essais sur les groupements
sociaux /Essays on the social groupings/, 1929,
p. 24. Mélanges de sociologie nord-africaine
/Miscellaneous works on North African sociol-
ogy/, 1930, pp. 64 sq. This part of the analy-
ses by R. Maunier is very schematic.

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/Footnote 1 continued./ Here we shall use the word "Sous" in its narrow sense only when specifying that it is a matter of the valley of this river itself or of the interior plain that it crosses.

There human life takes on incontestable characteristics of unity under an apparent diversity of aspects. The Makhzen /makhzan/, the tribes, and the chiefs confront one another in turn /7/ and give us the perfect picture, in a little world in reduction, of that opposition, simple in its principles, complex in its forms, which on the whole sets by the ears the government and its subjects. In this region, more than anywhere else, it is easy to distinguish the phases of the transformation that carries along in the same current the little Berbère /Berber/ societies. We actually see minuscule states pass from independent life to servitude before our eyes; subject to influences that little by little alter their constitution and their structure, they obey similar laws and take part at the same time in the same evolution.

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While looking at the Sous as a kind of political microcosm of Morocco, we shall nevertheless try to extend our observations to other regions, when the transformation of their institutions makes such a comparison possible. From examples chosen from among the Jbala /Jebala/, in the Rif or in the Kabylia of the Djurjura /Djurdjura/, we shall show how the simple laws that the study of the tribes in the province of the Sous has disclosed to us can explain the life of the tribes in the greater part of sedentary Berbérie /Barbary/.

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Only the country of the seminomads of the Moyen Atlas /Middle Atlas/ and of the central Atlas will remain entirely exempt from our investigations. We thought that the different conditions of the material life, the less advanced state of the political evolution before the establishment of our protectorate, did not really allow us to establish with sufficient certitude comparisons between that region and the other countries populated by sedentary peoples. In any case the deep hostility manifested

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556 always reigned. But at the same time the life of the workers in
184 the gardens, the "khemmas," is more and more miserable. Only
511 a temporary emigration to the towns of Morocco, to France, or
[167] to Algeria enables the adult men to earn, by hard work, the
[464] money necessary for the subsistence of their families remaining
in the country.

779 XI. The religious life. -- The Sous is -- the rest of its his-
tory will make us understand by what circumstances -- profound-
[346]ly subject to Islamic religious influences. The millenary work
of the reformers, leaders of brotherhoods, and holy personages
whose whitewashed domes so often strike the traveler's eye in this
country has been crowned with success, and one would look in
vain as far as the farthest valleys for a hamlet without a mosque.

795 /49/ The major religious duties, prayer, fasting, alms, are
observed with care. Even the pilgrimage is frequently performed
[788] by the notables, merchants, and well-to-do men, especially in
[554] the tribes of the plains and mountains of the South, among whom
[184] an ardent attachment for religion persists up to the present, ac-
[798] companied besides by hate and scorn for the Christian.

But whatever may be the attachment of the Sous Berbères
/Berbers/ to Islam, they nevertheless like to express it within the
narrow boundaries of their little states. They reserve for their
[554] marabouts, scholars, and talebs /public scribes/ the gain from
their tithes.

779 As in all the rest of North Africa the cult of the saints mani-
776 fests itself here in its familiar aspects so often described. One
• [771] can even observe that the veneration of the Chleuhs /Shluh/ for
[792] their marabouts can be modeled on the various forms of their
social organization. We shall soon see the importance of these
* [631] small superimposed states, which are the fraction, similar to a
[619] canton, the tribe, whose territory embraces several valleys, the
confederation, which sometimes extends over a whole versant of
the mountain. Now it may be said that each of these groups pos-
776 sesses its patron saints. For example, the most venerated sanc-
778 tuaries, those of Moulay Brahim of the Kik, Lalla 'Aziza of the
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538 limited imagination, the Chleuhs /Shluh/ excel in the invention of minuscule poems and succeed in expressing, in two or three lines, a thought full of subtlety, with words whose meanings keep the freshness of life, in a language that writers' efforts have not yet dried out.

[517] It is during evenings of rest, when the Berbères /Berbers/ /53/ assemble in order to sing around glasses of tea, that one must try to understand the soul of the Sous. The "gembri" --

[534] crude mandolin from which the artist knows how to draw muffled and nostalgic sounds -- preludes the performance of the poets.

[533] Then their song rises, penetrated by the beating of a bronze timbal, mingled with improvisations and commonplaces, expressing the feelings of their hearts, sometimes simple, but more often mysterious and complicated like that of the primitives. For us the lines are wrapped in obscurities; nevertheless, they are filled with discreet allusions that all understand; they tell all at once about the considerateness of friendship; the strength of love, and the harshness of life. At the same time there are revealed [181] the immoderate passion of the Chleuh /Shluh/ for money, the taste for intrigue, the respect for force; sometimes the martial power of the leaders is extolled, but less than the prestige of wealth, and very often in the tales the cleverness of a ruse gets the better of the heroes' courage.

181 These various aspects of the Berbérie /Barbary/ of the Moroccan South vie to compose for us the picture of a social life that has remained very archaic in its form and that offers us still today the spectacle that the most ancient civilizations of the Mediterranean were giving three millennia ago. But the economy, the beliefs, and the language of the montagnards of the Sous are not alone in suggesting these comparisons; the study of their small states and their political transformations lets one perceive analogies even more precise and carry us back to the faraway time of the primitive civilizations of the ancient world.

• [171] Masqueray tried to show, in Algeria, how the hamlets of the Aurès, the villages of Kabylie /Kabylia/, the small towns of the Mزاب presented the picture of successive stages in the founding

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and development of the ancient cities of the Occident; likewise, we shall see appearing here, in the bosom of the tribes, leaders similar to the tyrants of the earliest times in Greece, who, like them, will succeed in founding their principalities on the ruins of small, dominated and subjugated republics.

In truth, the deep vitality of the western world at the time of its origin is lacking in Berbérie /Barbary/; the great myths capable of associating the local cults with the brilliant destinies of the gods of the cities have always remained unknown there; one only finds with difficulty in these miserable market towns of North Africa /54/ a few traces of an art without delicacy and from which imagination and feeling seem to be absent. Decoration, the technique of the jewels, arms, fabrics remain rudimentary and seem imprisoned in a fixed tradition that is preserved within the narrow limits of a tribe or valley. Thought alone crosses vaster spaces and the poets' improvisations, repeated at great distances, express the popular soul in a form not always unworthy of being compared with the elegiac verses of seventh-century Greece. But Berbère /Berber/ life most often remains attached to the earth of a village; its humble desires can be satisfied within the boundaries of a canton. Consequently one understands that in studying the political evolution of the tribes there is manifest to us the powerlessness of men to found true kingdoms unless influences foreign to the genius of the race come into play to break the numerous cadres of their little states divided by internal struggles. Left to themselves, the sedentary peoples of the mountains of the South of Morocco know only how to sketch the first phases of the founding of empires: the conquest of the tribe by a fortunate military leader.

For lack of poetic religions born in the cities, which, by means of festivals and games, achieved the unity of the Greek world, it is Islam that brings the idea of the State here. This strict and formalistic religion first pursues with infinite patience the ruin of the ancient beliefs so deeply bound to local life; it gives to men of various countries, opposed by unyielding interests, the same duties and the same language; finally, it comes to

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*631 /makhzan/ or the great chiefs, would merit being compared with
619 the one that we discovered first of all in the footsteps of our first guides loyal to the kaid.

*631 Here, in fact, the villages that are tiered on the sunny
*634 slopes of the torrents, near immense walnut trees irrigated by
619 the gushing waters of the Atlas, do not know houses of sheiks or caliphates. In these valleys one would try in vain to distinguish
[361] the dwelling of the poor man from that of the rich. Each of
[342] these little mountain cantons forms a separate state that a council administers. Gathered on a terrace, all clothed in brown wool, the notables gravely debate among themselves, for /132/ long hours, the interests of their villages; no one raises his voice, and, seeing them, one would not be able to discover their president, a timid old man who has been given for one year the mission of carrying out their decisions and who is greeted by the title of "moqaddem" /mokaddam/. Their judgments are inspired by a custom
[671] that they hold from their ancestors without modifying it; they punish crimes, stop disputes, impose the most severe penalties on thieves. Their concern is gladly directed toward the protection of the crops and pastures. In every circumstance they watch jealously to see that the interests of the patriarchal families, whose heads they are, are precisely respected. Then, their deliberation ended, after a prayer recited together, they separate and go to supervise a corvée from a distance.

462 The humble tableaux of the life in these villages in the high
184 mountains show us that the existence of the independent Berbères
512 /Berbers/ of the summits does not differ from that of their
- [171] brothers of the Rif or of the Kabylie /Kabylia/. Here all the women are assembled in order to do the transporting of the manure together. Adorned with their festive apparel, rich and poor,
[482] young and old place on their heads large doum baskets filled with the village manure and descend, singing, in order to take the fertilizer to all the little fields that border the torrent. Another
[653] day all the men assemble, under the direction of the notables, in order to repair the ségulas or the souk /sook/ roads. Then, at the
221 end of spring, in all these small anarchical and happy republics,
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*631 shape and disappeared, one may believe that the play of social
121 forces, remaining so similar in themselves in the course of cen-
[178] turies, was exercised formerly in the same form as today.

One might go further and seek out in other provinces of the Sherifian Empire, now subject to the Sultan's authority, the traces of an evolution similar to the one that the South of Morocco underwent several times. In a still more general way, the Mussulman history of North Africa as a whole gives us the spectacle of attempts, ephemeral for the most part, undertaken by ambitious men to found a personal power analogous to that of the Berbère /Berber/ amghars and kaids of the Sous. By force of arms, or thanks to the support of religion, they build small states, assemble around themselves a group of tribes, and found dynasties that try for two or three generations to retain in a centralized organization the peoples that they have subjected to their authority.

But the conditions under which these principalities are constituted in a land remaining on the whole faithful to republican institutions most often remain obscure. Perhaps /146/ we shall succeed, in the light of this study made on a still-living past, in illuminating some of the hidden rules that explain their rise, their life, and their disappearance.

*631 The example of the South of Morocco will show us how the
121 fragile cadres of the little Berbère /Berber/ states can be broken
178 up in order to constitute a larger political organism to which one
642 can almost already give the name of kingdom: we shall also see
*634 in what way these cantons, formerly autonomous, soon recover, thanks to revolts, their early liberty and return to, along with their egalitarian dreams, their primitive institutions. Thus the cycle of evolution of the Sous tribes, which has its origin in organized anarchy in order to arrive at the ruinous despotism of the Makhzen /makhzan/ and does not delay in coming back to its point of departure, thanks to the confusion of the sibas, will for us be no more than the most humble aspect, the elementary form of another rhythm: that of the rise, development, and ruin of Mussulman empires, whose regular seesawing suffices to fill all the history of the Maghreb with a tireless monotony.

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619 be tempted to justify it by local genealogical legends. But we
174 have said what the importance of foreign contributions was, even
in the high mountains, which make the idea of community of
origin illusory.

619 On the other hand, it would be very difficult to concede that
* 634 all the tribes are only groups of cantons within which would be
found a "mother-taqbilt," having given birth to the other units by
simple internal development or by conquest. Indeed, the power
of expansion of a privileged group cannot overcome indefinitely
the resistance that surges up from every side when it tries to ad-
vance; a small elementary state does not always keep the same
warlike ardor, and causes of decline intervene to stop its growth.

[616] Besides, there are established among all the cantons systems of
alliances organized so as to constitute in every region two op-
posed leagues whose efforts are in equilibrium; this institution, to
which is given the name of "leff" and whose importance we shall
soon discuss, has the consequence of limiting the expansion of
overly active groups and establishing a sort of balance among all;
it is doubtless owing to its conservative influence that we see exist
in the Haut-Atlas /High Atlas/ a large part of the tribes and frac-
tions that were already there at the time of the Almohades (1).

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171 1. This structural complexity of the tribe has
already been pointed out elsewhere.

Cf. A. Bernard and Lacroix, Évolution du
nomadisme en Algérie /Evolution of Nomadism
in Algeria/, p. 278. "The tribes are very heter-
ogeneous in general, containing some sedentary
fractions and others nomadic, some religious
fractions and others laic, some fractions in strug-
gles against one another. It is the clan and not
the tribe, as is usually said, that corresponds to
the Greek *γένος* and the Roman *gens*. The tribe
is formed both by the development of the familial
element and by the aggregation of foreign ele-
ments." -- "It is wrong," says M. Doutté, "to

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/footnote 1 continued/ picture the divisions of the tribes in the form of a genealogical tree. The divisions of the present-day groups of the populations generally constitute, not branches issuing from the same trunk, but grafts supported on a primitive stalk that it has sometimes become impossible to discern."

(Doutté, "Figuig /a Saharan oasis/." Notes et Impression. -- La géographie, 1903, Vol. IV, p. 186.)

The existence of a common territory, which figures as the historical heritage of a group of fractions whose unity has perhaps /161/ been greater in former times than in our day, is sometimes regarded by the members of the tribe as the strongest bond by which they are united. Possession of soil with well-delineated borders then takes on greater importance than belief in the existence of a common ancestor. Thus a man from the tribe of the Ida Ou Mhamoud, whose geographical limits are very precise, questioned about the origins of his tribe and the personality of this Mhamoud who gave it this name, answers: "We are of the Alt Tounert. That is the name of our 'taqbilt'; Ida Ou Mhamoud is only the name of our country" (1).

1. F. de La Chapelle (ibid.).

In the same way, in the Anti-Atlas, a Tamli, of the Ammeln tribe, tells us: "The Ammeln do not form a tribe, but they are people who possess a country whose limits are marked by mountains. And in this country one finds seven small tribes." These "small tribes" of the Ammeln are precisely what we have called "taqbilt" or cantons.

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But very often also the borders are poorly defined and it seems that they have varied in the course of the centuries. In the region of the Tichka, certain tribes like the Demsira or Mesgina, which were represented to us as early as the twelfth

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*631 /167 cont./ In any event they frequently keep for
619 their general meetings a holy spot, a sanctuary, or even a plain
175 specially reserved for this purpose. It is when they assemble for
[178] war that there reappears, according to a tradition that seems
millenary, a rigorously determined order of battle: at the head,
the porte-bonheur /bearers of good luck/, then the different
groups, each coming in its place, in a succession known to all.
One knows what utility Ibn Toumert drew from this institution in
order to organize the "Tamyiz" /hierarchy of tribes/ of the Al-
mohades. It is still observed in our day very much alive among
the Haha, as in many other regions of Berbère /Berber/ Mo-
rocco (1).

1. In particular among the Ait Atta, con-
federation of seminomads of the Saghro and
the central Atlas, and among the Ghomara.

*631 One might wonder whether the historical confederations,
174 whose parts are most often in our day so weakly linked with one
another, are not what exists, as "social cadre," of homogeneous
ethnic masses arriving long ago for the conquest of the Moroccan
South. Invading the Atlas in large groups, perhaps still attached
to the forms of the nomadic life, the Masmoudian populations,
divided into large families, would thus have conquered their
place little by little; later, they would have lost the feeling of
their unity by the contribution of foreign elements, or, still more
simply, because of the stronger bond that attaches the inhabitants
of the fractions to their soil. At the same time, the common in-
stitutions would have disappeared.

*631 What would confirm this way of looking at it is the impor-
174 tance that the bonds of confederation still have among the semi-
• 171 nomadic Senhaja Berbères /Berbers/ /168/ of both versants of
the central Atlas. Indeed, we see in this region, as well as to
the east of the Dra, sizable groups that still live in tents, take
possession of the country, and preserve, in spite of their internal

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*631 struggles and their dispersion, a particularly strong feeling of
174 their ethnic unity (1).
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1. In truth, it might be that these confederations, too, are composed of elements of diverse provenance. But an artificial bond of brotherhood, created by ceremonies of adoption or by the existence of obligations of mutual assistance, doubtless can play, among the seminomads, the same role as the feeling of community of origin.

*631 Such are the Aït 'Atta, the Aït Morghad, the Aït Haddido, the
[726] Aït Sokhman, the Izayan, who go to war in large masses and seem to push forward by successive waves from the south to the north, from the desert toward the plains of the Gharb. These

[178] confederations most often remain faithful to the custom of the
[666] "chikh /sheik/ fouqani," of the chief elected by the whole ensemble of the tribes of the same race. Such a unit contrasts to

* [634] the utmost with the state of division of the confederations of
[616] sedentary Masmouda, which we find parceled into fractions opposed to one another, even in the cadre of the tribes, by the play of territorial alliances to which is given the name of leffs (2).

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2. On the solidarity of the large Arab tribes, such as the Dwi Menia, compare A. Bernard, Les Confins algéro-marocains /The Algero-Moroccan Borders/, Paris, 1911, p. 96.

*631 The state of cellular division of the Masmouda groups could
174 thus be regarded as the end of a long evolution, the consequence of taking possession of the soil, of the appropriation of arable lands by groups formerly errant and primitively attached to the pastoral life. Such a hypothesis, whose weakness is obvious, appears to us, however, to merit being examined with interest; the

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*634 XII. The social units among the western Jbala. -- Thus the cell of the Berbère /Berber/ society of the Sous is, at least in our day, an elementary state larger than the village, smaller than the tribe, and we shall later see the importance of this minuscule unit confirmed in the course of our investigation of the circumstances in which the chiefs rise and grow.

*634 But it is not only in this province of the Sous, where it has
*631 been possible for us to multiply our investigations, that one ob-
• 171 serves the role played in local life by these small cantons that absorb /171/ the greatest part of the political activity of the country. It is the same in the various parts of the north of Africa peopled with sedentary Berbères /Berbers/. Without trying here to redo the study of the social morphology of these regions, we believe it necessary to indicate in broad features how, under aspects sometimes a little different, the same cellular structure that we discover in the Moroccan South can be found among the Jbala /Jebala/ of the Moroccan North, in the Rif, and in Kabylie /Kabylia/; it will most often suffice for us to tell how certain of the observations already made by our predecessors agree exactly with the ones that we have been able to make in the Sous and the Anti-Atlas so that the profound unity of social structure of all Berbérie /Barbary/ may appear.

000 The land of the Jbala presents many analogies with the western Haut-Atlas /High Atlas/; the one as well as the other border the plains held by the Makhzen /makhzan/ for a long time, and in both countries the mountain tribes apply themselves with all their strength to preserving their independence.

M. Michaux-Bellaire, who was studying this region in 1911, at the time when it was living in a state of complete liberty, distinguished, as we have done in the Moroccan South, several superposed organisms: the village, the "khoms," and the tribe (1).

1. Michaux Bellaire, "Quelques tribus de montagnes de la région du Habt /Some Mountain Tribes of the Habt Region/," Archives marocaines, Vol. XVII, p. 43.

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/footnote 1 continued/ these units and the ones found among the sedentary populations, comparisons rigorous enough to permit one to affirm identity of structure.

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Chapter III

The Alliances of Tribes and of Cantons

- I. The leffs of the Haut-Atlas. Difficulties of study. -- II. Former aspect of the leffs of the Masmouda. -- III. Role of the leffs among the Masmouda. -- IV. Strength and stability of the institution. -- V. The leffs during peace -- VI. Geographical boundaries of the leffs of the Masmouda. -- VII. Liaison between the leffs of the Masmouda and those of the Anti-Atlas. -- VIII. The soff, alliance of families. -- IX. Research on the origin of the leffs of the Haut-Atlas. -- X. Aspect of the leffs of the Anti-Atlas. -- XI. Political role of the leffs. -- XII. Historical hypotheses on the formation of the two leffs. -- XIII. The leffs of the Jbala and of the Rif. -- XIV. The formation of the leffs of the Ghomara and of the Senhaja. -- XV. The Soffs of the Kabylie /Kabylia/. -- XVI. Kabylie has known leffs similar to those of the Atlas of the Masmouda. -- XVII. General hypothesis on the formation of the Berbère /Berber/ leffs.

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I. The leffs of the Haut-Atlas. Difficulties of study. -- Each of the little Berbère /Berber/ states of the Haut-Atlas /High Atlas/, which lives within the narrow boundaries of its valley while following the tradition of the ancestors, comes out of its political isolation by entering into one of the two great alliances between which the mountains are divided. Secular bonds thus unite all the "taqbilt" according to particular rules impossible to uncover, but in a way so as to form two opposed parties of equal strength, capable of sustaining their members in peace and in war. Under the name of "leff" or "soff," analogous alliances have been observed, not only among the Berbère /Berber/ tribes having preserved their

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*634 spontaneous organization, but also in a large part of the bled
616 makhzen /region controlled by the central government/ governed
171 by the kaids. Nowhere, however, does this institution show such
importance as in the mountains of the Masmouda, between the
Bibaoun trail and the col of the Glawa. If one neglected to study
it, it would be impossible to understand the conditions in which
the evolution of the country proceeded for a century.

121 After having examined the nature of these alliances in the
616 country of the /183/ Masmouda, we shall be able to compare
171 them usefully with the leffs of the Anti-Atlas, with those of the
chain of the north of Morocco, in the Rif and the Jbel, and with
similar institutions that have been observed for a long time among
the sedentary peoples of the Kabylie /Kabylia/ of the Djurjura.
Perhaps it will then be possible for us to perceive, in an apparent
variety of aspects, the successive stages of the same evolution,
and thus to bring new evidence of the unity of social structure of
all sedentary Berbérie /Barbary/.

616 In spite of their vitality, the leffs of the Haut-Atlas /High
177 Atlas/ cannot be studied without grave difficulties. In truth, if
178 they remain nearly intact around high summits, they have been
profoundly affected for 50 years by the penetration of the Makh-
zen /makhzan/ and by the substitution of personal power for the
small democracies and conservative oligarchies of former times.

*[634] Just as we often find the boundaries of the cantons and former
[619] "taqbilt" half effaced by the new organization of the tribes, in
the vicinity of the plains or in the big towns, so the memory of
the leffs is beginning to be lost in all the parts of the mountains
subject to the great kaids for two generations. Near the Dir, only
616 a few old men who still know the events of Sidi Mohammed's
177 reign can tell us their exact composition. If we go up toward the
178 summits without penetrating into the dissident regions, only the
124 grown men who took part in the combats of the "siba" of Moulay
el Hasan are reliable informants for us, for already the young
men, who have grown up in obedience to the Makhzen /makh-
zan/, clothed in cotton, illuminated by the light of candles,
used to the tea and to the improvements of our era, are at the

571 /196/ VIII. The soff, alliance of families. -- The little
* 634 states of the Haut-Atlas /High Atlas/, like all the Berbère /Ber-
613 ber/ communities, know a form of division other than that of
the leffs: the one that results from the rivalry, warlike or pa-
cific, of the "ikhs" or family groups within a canton (1).

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1. Sometimes, in the regions subject to the Makhzen /makhzan/, the name of "soff" is given to the institution that we have described here under the name of "leff" or "amqon." We shall distinguish the two terms here and shall reserve the word "soff" to designate exclusively the alliance of families.

571 While in most cases the "taqbilt" or cantons enter by whole
* 634 units into the alliance of the leffs, there almost always exists in
each of them two or several parties, often supported by foreign-
ers, and whose discords disturb a whole part of the mountain on
the slightest pretext. But these associations, which do not have,
like the leffs, any territorial base, are much less stable. They
unite only for a few years families interested in the defense or con-
quest of power or those who are constrained to form a party hastily
in order to avenge the dead or to assassinate an overly powerful
enemy. The Berbères /Berbers/, with the usual imprecision of
their language, also give these private alliances the name of
• [171] "amqon." In order to distinguish them from the leffs, we shall
give them the name of "soff," utilizing the word that designates
similar associations of families in Kabylie /Kabylia/; besides, their
importance is such in the Djurjura that they seem to have made
the leffs of former times disappear (2).

2. See farther on, p. 289.

Among the Masmouda the "soff" never extends beyond the
territory of a few cantons. It remains a private institution, whose
[616] nature opposes to a certain degree the institutions of the "taqbilt,"
[578] whose unity it threatens; there is not recognized for it, as in

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000 unity of the fractions, such as appears in the most anarchical regions of the Rif.

Whatever may be the value of the hypothesis that we are proposing in order to account for the formation of the Berbère /Berber/ leffs, a comparison of the various aspects of this institution suffices to show how it is bound up with the most general conditions of the material, social, and political life of the tribes. When one studies the existence of these little elementary societies, one is struck both by the tyranny exerted on the individual by the group and by the powerlessness of the latter to make anarchy disappear from its bosom. The leffs materialize and project on the soil, one might say, the two opposite and complementary tendencies of Berbère /Berber/ life: the spirit of association and the taste for discord.

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Chapter IV

The Republican Organization; the Political Institutions

- I. The institutions of the Mouda^c. -- II. The council of the canton. -- III. The inflas; their magical origin. -- IV. The moqaddem. -- V. The distribution of the fines. -- VI. The councils of cantons or of tribes without moqaddem. -- VII. The justice circuits. -- VIII. The internal and external wars. -- IX. The festivities and the dances. -- X. The Berbère /Berber/ republics of the Haut-Guir, of the Jbala, of the Branès. -- XI. The Riffian anarchy. -- XII. The republics of the Kabylie /Kabyliä/.

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• [171] We have shown the particular importance of the small social unit that, under the various names of "taqbilt" in the Haut-Atlas /High Atlas/, "khoms" in the Anti-Atlas and the Rif, "arch" in the Djurdjura, is the true fatherland for the independent Berbère /Berber/. Indeed, it is within these narrow limits of a state to which we have given the name of canton that the simple and patriarchal institutions of the oligarchic republics, in which the inhabitants of the high valleys have delighted for long centuries, have developed.

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*634 most trifling: a discussion turns sour, one passes on to insults,
578 then to blows. The people of the village take sides, shots burst
726 forth, and each one goes back into his house to prepare for war.
628 But, before opening hostilities, the principal notables hasten to
[571] form, thanks to family alliances or a price in money, a powerful party capable of assuring them success. The two soffs fight sometimes for weeks, until an arrangement, which often takes into account the unequal number of victims on each side and the blood price claimed by the families, intervenes to re-establish peace.

/233/ Alliance pacts established by means of the exchange of clothes or "belgha" are not in use among the sedentary peoples of the South of Morocco. They are satisfied to look for allies by making them an "car" /putting them in the relationship of protector/ by means of a sacrifice offered on the threshold of their house.

*634 The causes, insignificant in appearance, of the war of the
578 soffs most often mask the rivalries of the notables who fight over
571 power. The quarrel of the villages is for them only a pretext for
726 measuring their strength. Nevertheless, since this struggle imperils the unity and the strength of the State, the other heads of
628 families often intervene as mediators, in order, they say, that the tribe will not be weakened (1).

1. Compare Sitte und Recht /Custom and Law/, Todgha, p. 149.

*634 In the Haut-Atlas, as well as in Kabylie /Kabylia/ (2).
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2. Hanoteau and Letourneux, La Kabylie /Kabylia/, Vol. II. p. 64.
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• [171] the surest means of restoring order in a canton divided against itself is to revive ancient hatreds against the neighboring republics and to find again an occasion to appeal to the brotherhood of the leffs. Here again the causes of the war are trifling: insults

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000 their internal peace, the suspicious deliberations of the assemblies suffice to drive any great thought from the minds of the family heads; they keep them in the narrow circle of patriarchal laws that are the strength and the weakness of Berbérie /Barbary/.

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Chapter V

The Republican Organization (continued): the Economic Institutions

- I. The hospitality. -- II. The mutual aid and the contributions.
-- III. Absence of collective properties. -- IV. The markets and the fairs. -- V. The collective storehouses of the Sous. -- VI. Development of the institution of agadirs in the past.
- VII. Decline of the Berbère /Berber/ republics of the Sous.

121 The analogies that we have found between the political or-
181 ganization of the small republics of the Haut-Atlas /High Atlas/,
171 of the Sous plain, and of the Anti-Atlas and those of the other
regions of sedentary Berbérie /Barbary/ appear in most of the
economic institutions. Hospitality, protection of foreigners, or-
ganization of common meals, mutual aid for plowing and har-
vests, regulation of the markets give in particular to the popula-
tions of the South of Morocco the occasion to exercise, like their
Kabyle brothers, their spirit of fellowship and their natural apti-
tudes for the fair division of the burdens and benefits of social
life.

121 While doubtless one should not expect to observe in the re-
343 gion of the Sous, because of the slight density of the population,
an activity as intense as in the villages of the Djurjura, we shall
at least see how the institution of the "agadirs," storehouses that
all the inhabitants of a hamlet, of a "mouda⁶," or of a canton
use at the same time, sharply bears witness to the necessities of
existence in common and a cleverness in collective organization
that perhaps has not been surpassed in the rest of North Africa.

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609 and a change in external policy can have their expulsion as a
166 consequence (1).
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1. Cf. above, Book II, Ch. III, pp. 245-246.

[681] At other times, too, a group that fears being reduced by the
exodus of families decrees penalties against those who try to pass
[619] into neighboring fractions. In this domain there is no general
rule, and each "taqbilt," each "khoms" or tribe is inspired by its
own interest.

474 /247/ II. The mutual aid and the contributions. -- Under
171 the name of "ouzia" one finds throughout the South of Morocco
681 the Kabyle custom of the "timecheret," purchase in common of
574 an animal whose flesh is to be distributed among all the inhabit-
ants of the village; but the "ouzia" here most often preserves a
religious character, and this practice does not become, as in the
Djurjura, the occasion for obliging the inhabitants guilty of in-
fractions of the laws of the city to offer a good meal to the whole
village.

681 Here the benefit of the "imensi n tqbilt," solemn meal that
574 the criminal or delinquent gives to repair the moral wrong that he
*634 has done to the community, is reserved solely to the Alt Arba'in,
to the inflas of the senate of the canton. The "imensi ntqbilt,"
the "supper of the tribe," is, besides, a good windfall for the
notables themselves, who are satisfied in everyday life with
meager fare. The desire to have a good supper free of charge
readily inclines the Alt Arba'in to give proof of great severity in
the repression of offenses.

466 The corvées for plowing, harvesting, and transporting manure
476 are the occasion of manifestations of disinterested mutual aid to
which the name of "touiza" is given. The "touiza" is granted to
all who ask for it. One who cannot plow his field because of his
[571] poverty makes a "c-ar" to the jema'a in the form of a lump of
[754] sugar; on the next day the workers assemble and come to the aid
of the unfortunate one or the widow without support.

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466 The "touiza" is obligatory with regard to the taleb, the
476 moqaddem, or the amghar; except in the case where a benefi-
ciary is without resources, food is offered to the workers by the
one who uses them. Inversely, one sees at present in the same
[651] regions subject to the authority of the Makhzen /makhzan/ the
[177] inhabitants of the village furnish to the kaids a number of days
of "touiza" regulated by custom or fixed by the chief himself
according to his needs. Each one brings his food and must often
also contribute toward the maintenance of the kaid's slaves put
in charge of the supervision of the work. This institution, which
[178] was originally a work of mutual aid, has become in this way a
[651] source of abuse, and its name is associated in the complaints of
the montagnards with that of the "frida," an extraordinary con-
tribution that a representative of the Sultan, kaid or caliphate,
levies as often as he can in Berbère /Berber/ country.

* 634 In the independent fractions, it is exceptional that the /248/
652 "taqbilt" treasury is reconstituted by means of extraordinary taxes
[651] or "frida" paid by each household. One-third of the fines paid
[681] by the guilty, reserved for this purpose, most often suffices, and
the Berbères /Berbers/ feel profound repugnance toward paying
contributions, with which the "Bled el Makhzen" is overburdened.
735 On the other hand, they acquit themselves willingly, either
794 through the medium of the common treasury or directly, of nu-
431 merous traditional tithes paid to the marabouts and the poor. In
[465] the Anti-Atlas, where all transactions and the measuring of har-
vests are done at the "agadir," the part for the saints of the coun-
try and their descendants, the "igourramen," as well as the salary
of the minor functionary charged with watching over the harvests
or the collective storehouse, are taken on the spot by the official
measurer. The Koranic regulation of taxes is in this way ob-
served in spirit, if not in form, but for the exclusive benefit of
the local saints and of the zaouias, which are, as has often been
said, an integral part of Berbère /Berber/ society.

• [171] Likewise among the tribes of the Jbala of the Habt one sees
the shorfa /shurfa/ and the poor benefit from the sum total of the
legal alms. The montagnards of the north of Morocco "acquit

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735 themselves strictly of all duties incumbent upon them as mem-
794 bers of the Mussulman community, but the community, for
431 them, is restricted to the tribe -- or even the fraction -- and
• 171 they do not conceive of the idea of bringing together in the
hands of the Makhzen /makhzan/ the resources of the whole
Mussulman community" (2).

2. Michaux-Bellaire, "Quelques tribus de
montagnes /Some Mountain Tribes/, " pp.
51-52. The same applies to the administra-
tion of the habous /wakf/ of mosques entrusted
by the "jema'a" of the Jbala to Nadirs /func-
tionaries charged with conserving the property
of the mosque/ of the tribe or fraction, or to
the descendants of a Marabout, *ibid.*, p. 175.
Compare the managers of the habous property
among the Djbala with the oukil /financial
agent/ of the Kabyle mosque. Hanoteau and
Letourneux, Kabylie /Kabylia/, Vol. II, p. 35.

423 III. Absence of collective properties. -- In the territories of
the Sous populated by sedentary Berbères /Berbers/ one would
look in vain for collective lands belonging in joint possession to
tribes or fractions.

423 In the regions of Morocco in which tribes or entire confedera-
171 tions have recently disputed the possession of the soil, like the
plains of the northern Gharb and the Moyen-Atlas /Middle Atlas/,
one understands that individual ownership has not yet been able to
assert itself in the course of a state of war that sets against each
other groups /249/ constituted for defending or conquering a ter-
ritory. On the contrary, in a country where the Berbère /Berber/
must make his fields himself by rolling stones on the flank of the
torrents in order to create terraces, or work tenaciously in the
minuscule gardens of the oases, each one is master of his pos-
sessions and disposes of them as he pleases. In the summit region

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423 there hardly remain a few pastures common to a whole tribe (1).
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1. The independent Berbères /Berbers/ could not be concerned about the juridical distinctions established by the Sultans in the course of history in the capitulation lands, subject only to the zekkat, and the lands of "naiba" /military service/, which were, moreover, to pay off the contribution of the "kharaj" and whose soil belonged in principle to the Mussulman community. One knows that the Mérinides and the Saadians had considered the Haut-Atlas /High Atlas/ as "naiba" land, in order to be able more easily to burden the Masmoudian tribes with taxes. In our day, the term "nouaib" is applied indiscriminately to all Arab or Berbère /Berber/ tribes that are subject to the Makhzen /makhzan/ or even to a chief. The "nouaib" are subjects, in contrast to the Berbères remaining free. It goes without saying that the state of submission to the Sultan does not entail, in the minds of the mountain populations, any diminution of their property rights on the land. Compares Michaux-Bellaire, "Quelques tribus de montagnes /Some Mountain Tribes/," p. 161 and sqq.

423 In the villages, collective properties or the "habous" consti-
794 tuted for the benefit of sanctuaries are rare; as an exception, the
621 manure deposited in the vicinity of the hamlets is often sold at
437 auctions in order to serve for the maintenance of the mosques.

423 Tribal fractions often claim the cols and routes of passage as
579 belonging to them as their own, and it is by virtue of this, it
486 seems, that they consider themselves charged with maintaining
651 security at the points where thieves usually meet in order to
plunder travelers. Thus the "zettata," right of passage paid to
the tribes by all who cross the country, and which has so often
been regarded as an abuse, would appear in the eyes of the

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/Footnote 1 continued./ Doutté thinks, on the contrary, that it is a matter of a purely Berbère /Berber/ institution and one that is explained by the sacred and redoubtable character of the woman.

Several markets reserved for women exist among the Beni Ouriaghel of the Rif in a very Islamized region.

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In the Rif, where anarchy develops spontaneously and spreads much farther than in the South of Morocco, the protection of the markets is the occasion chosen by the tribes of the vicinity to conclude an alliance, a "ribat." But here again in these meetings appear leaders charged with judging the differences that can arise in this turbulent assemblage of armed men.

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For example, the Targist market, which has particular importance since it is found at the crossing of the principle routes of passage in the region of the Haut-Ghis, is under the supervision of "amghars" especially designated by three neighboring tribes, the Beni Mesdwi, Targist, Zerqet. These chiefs hold their meetings in an isolated "tahanout," and on their initiative the public crier announces to all the established rule: "O Mussulmans! Know that there /253/ exists among us an agreement concerning the souq /sook/ of the Oued, valid for three days, Tuesday, Wednesday, and Thursday. He who kills someone must pay 2,000 Spanish douros; if he only wounds him, he gives 1,000 douros. He who stops a drover of beasts during these three days must give back the other's property and pay 500 douros in fines; for our market is a market where peace prevails, O Mussulmans! and each one can verify this with his own eyes. May God blind the one who does not wish to see!" In spite of these precautions, however, shots burst out sometimes and the souq is broken up; when incidents occur again, the market disappears, to the great loss of the inhabitants of the country (1).

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1. It is known that likewise in Kabylie /Kabylia/ the surveillance and the policing of markets are

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/footnote 1 continued/ not entrusted, as it would be natural to think, to the notables of the tribe. An appeal is also made to men belonging to powerful families, supported by a soff strong enough to make their decisions respected in the souqs /sooks/. As in the Rif, they are called the "amghars" of the souq. [Hanoteau and Letourneux, Kabylie /Kabylia/, Vol. II, pp. 81-82.] The tradition of these markets placed under the supervision of a chief is very ancient; this was done in Roman North Africa. Rich owners even used to found a market, often to their profit. Boissier, Afrique romaine /Roman Africa/, p. 149.

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V. The collective storehouses of the Sous. -- It is above all in the construction and use of collective storehouses that the tribes of the western Atlas and the Anti-Atlas give the measure of their aptitudes for the organization of life in common. Although the inquiries made up to this time are not sufficient to permit studying this economic institution completely in all the development that it seems to have had in North Africa, we can at least show the importance that it has assumed in the Sous.

S
343
*634
Among most of the independent "taqbilt" of the Haut-Atlas /High Atlas/ or in the high valleys subject to the Makhzen /makhzan/ for less than a generation, there exist collective storehouses that take the name of agadir (2).

S
[192]
2. The word "agadir," plur. "igoudar," "igidar," has the meaning of fortress or collective storehouse in the mountains of the Anti-Atlas, the western Haut-Atlas /High Atlas/ between the trail of the Bibaoun and that of Telwet; of village placed in a spot easy to defend among the Haha and the Ida

/255 cont./

343 activity of the little Berbère /Berber/ republics during the peace.
712 In addition, if war breaks out, each one comes to seek refuge
184 there with his family in case of peril; a huge cistern that always
remains full permits holding out against a long siege.

* [619] These fortresses are particularly numerous in the Anti-Atlas.
[634] Each tribe or each big fraction has its own. They then are often
arranged in the interior in the form of narrow streets onto which
open two rows of rooms built on three or four floors (1).

• [171]

1. This arrangement is identical with the one
of the storehouses of the nomad Berbères /Ber-
bers/ of the Tunisian South in the region of
Foum Tatahouine.

Projecting stones permit access by climbing up to the highest
doors. An enclosure of jujube-tree thorns piled up several meters
high, several crenelated borjs /towers/ provided with machicola-
[625] tions ensure defense. The watch is stood by a group of warriors
from the tribe designated in turn in each "mouda" or each ham-
let; the doorkeeper lives permanently inside the enclosure.

In these tribes of the Anti-Atlas, the use of the agadir is so
general that one comes to keep in each house the provisions for
only one day. Each morning the head of the family goes to ob-
tain the necessary victuals from the canton storehouse, in order,
he says, "that the women will not waste God's blessing."

[182] The role played by the agadirs of the Anti-Atlas and the
Sirwa region is easily explained by the conditions of life in a
country where people can subsist only by amassing provisions in
the years of abundance, rarer than those of drought and famine
(2).

[127]

2. M. Officer Interpreter Ben Daou has kindly
communicated to us a work in preparation on
the orf /tribal custom/ concerning the agadir of
the Tamellokt tribe. This document contains
more than 350 articles, which throw the most

/262 cont. /

121 we shall see there without difficulty the state of ruin of the insti-
178 tutions that we have described.

178 Until the middle of the last century, the small independent
*634 states remained nearly intact among the mountain tribes of the
•171 western Haut-Atlas /High Atlas/. But in this "Kabylie" /Kabylia/
of the Masmouda, the little social units were less strong and vig-
orous than the ones of the Djurjura. Under the action of the
Makhzen /makhzan/, as we have said (2),

2. Cf. above, Book II, Ch. I. p. 176.

their cadres yielded little by little; even in the high valleys of
the Tichka, the oligarchic organization is struck everywhere in
our day by a decline that might seem definitive.

178 In the greater part of the country, except in the most remote
*634 cantons, even in the vicinity of the summits of the Seksawa, even
the memory of the moqaddems has often disappeared; people still
know who the *Alt Arba'in* were, who at each siba revived the
former institutions, but the *agadirs*, the *porte-bonheur* "*inflas*,"
the policy of *leffs* are definitely part of the past. This disappear-
[648] ance was precipitated by the establishment of the Protectorate
and by the economic transformation that has been taking place
for 20 years, since the opening of Morocco to European commerce.

178 The ancient traditions no longer find usefulness in the new life.
The old men no doubt still recall to one another the time when
/263/ the rivalries of the "*Indghertit*" and "*Imsifern*" were the
subject of heated discussions in the low rooms of the sequestered
hamlets of the mountains, where one went to bed in the evening
on a carpet of dry grass by the light of twigs of resinous wood.
But the young people, who were raised in recent times with
"sugar, candles, cotton cloth," know nothing of the life of the
past. Likewise, the songs and the dances of the "*Alt Tskawin*,"
with the silver horn, are in their eyes no more than a survival,
an amusement to which backward *montagnards* devote themselves
and whose importance only the old ones understand.

/288 cont./

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*634 but has made them his creatures. Willy-nilly, the plain has had to accept his authority. This former thief is respected because he has made his fortune and is a man of his word. He holds the col of Ferqelma and the Tizi n Tgodicht and gains in this way, in a region where the passing of caravans is the principal source of wealth, a ceaselessly growing authority. All eyes are turned toward him in order to try to escape the feared conquest by the Mtougga. He now aspires to become a makhzen /makhzan/ chief, on condition that his position as amghar be recognized. (m) Placed with respect to Taroudant in a geographic situation analogous to the one that the amghar Ou ben 'Ali had with regard to Marrakech, having started out still lower, 'Ali Ou Hammo was exceptionally able to succeed because he had the good luck, during ten years of liberty, to act as he liked in a country still screened from the direct authority of the Sultan.

*634 X. The minor chiefs of the Ida Ou Tanan. -- The appearance of amghars is not limited to the narrow region of the Atlas included between the Tizi Ma'cho and the Tizi n Telwet, or in the country of the Sirwa, in that part of the mountains where the alliances of leffs between small autonomous "taqbilt" existed not long ago in a particularly stable form. One likewise observes it in the other tribes of the south of Morocco, the same as in the (171) Rlf and in Kabylie /Kabylia/. (184) Although these other minor chiefs are not called to so brilliant a career as that of their rivals of the high valleys of the Tichka, of the Nefis, or of Telwet, the conditions in which their power is born are identical with the ones that we have just studied; it will be easy for us to show that they, too, arise out of the quarrel of the soffs, grow more important through the war of the cantons, and at every point in the development of their policy follow the same rules that are imposed upon the amghars of the country of the Masmouda.

The examples that are offered us by the minor chiefs of the Ida Ou Tanan are all the more interesting to examine because this country lived in isolation in the nineteenth century, apart

/358 cont./

*631
178 come -- in less than 50 years of governing -- to precipitate, in the state that they have conquered, the ruin of the whole traditional organization of the populations, without substituting any other law for it but that of their will, any other goal but that of their wealth.

*631
174
• 171 It is not surprising that well before the novel of the "lords of the Atlas" was written European travelers, in the course of rapid tours in the south of Morocco, let themselves be deceived by appearances and tried to make bold comparisons between our Western feudality and this personal power established by the Berbère /Berber/ chiefs in the bosom of the tribes. The aspect of the casbahs, built less than two generations ago but so quickly clothed with the patina of time, the picturesque and animated life of the inner courtyards of the fortresses, the relative freedom enjoyed by the great kaid with regard to the Sultan could indeed give some verisimilitude to this historic transposition.

[712]
[648] Certainly it was not impossible, by putting some good will into it, to multiply analogies; the kaid who was semi-independent of the Makhzen /makhzan/ not long ago exercised his power in circumstances that could sometimes be compared with those of the count of the /359/ Frankish monarchy, and certain practices even seemed to be identical with the most classic institutions of our feudality. Are not the "amici," the "gasindi," who surround the count represented by the "imeddoukal," the "asahab" of the Berbère /Berber/ chief, those companions who stay in his house and among whom we have seen a natural hierarchy established according to their origins and the services rendered to the master? The amghar or the kaid, by substituting himself for the old council of the inflas formerly in charge of dividing among themselves the fines imposed on the guilty, collects the blood price as did the count in former times, the "freda" /sic/, as well as all the other settlements; that is what makes manifest their possession of the right of justice. Here, as there, doubtless in humbler forms, patronage develops, the "commendatio," in a social milieu where the weak can be saved only by abandoning to the stronger a part of his liberty, of his goods, and of his labor. The

/359 cont./

*631 acquisition -- so rapid, it is true -- of immense properties by the
174 Berbère /Berber/ chiefs, on which they establish hundreds of
• 171 slaves in a few years or preserve the former masters of the land
who in appearance have become similar to serfs, can again suggest another comparison. Is this not the image of the domains of the Merovingian epoch upon which, by slow evolution, the lords of the upper Middle Ages could grow in importance? A replica of the very certificate of immunity can be found in the letters of fictive command awarded by certain chiefs, the Mtouggi, for example, to the companions who have served him faithfully, so that they can escape, with all the members of their family, from the common rules of justice or of taxes (1).

1. Cf. above, p. 451.

*631 Finally, we observe here, as in the West, the development
565 of an aristocratic class, if it is permissible to use this expression
174 in speaking of the parvenu sons of the amghars, and the ruin of
171 the lower classes is precipitated at the same time that public
authority is weakened: those are, as has long been said, the general conditions for the appearance of a feudality (2).

[113]

2. Compare Fustel de Coulanges: Origines du système féodal /Origins of the Feudal System/, p. 294 and sqq., p. 415; L'alleu et le domaine rural /The Alodium and the Rural Domain/, pp. 374-382.

Nevertheless it would be imprudent to rest content with these similitudes:

*631 /360/ One barbarism always resembles another barbarism,
174 said Doutté in describing the aspect of the South of Morocco, and
171 it is not enough that "a chief live in a castle, have pages, and hunt with falcons," that peasants prostrate themselves upon his passing or that he administer justice on the threshold of his

/360 cont./

*631 casbah, for one to be able to make a feudal baron of him (1).
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• 171

1. Doutté, Mārrakech, pp. 400-402.

*631 As this sagacious observer noted, two essential aspects of the
174 social life of our Middle Ages are entirely lacking in the country
171 of the great kaids: on the one hand, the regime of lands in no
423 way justifies a comparison with that of the feudal societies; on
the other, no traditional hierarchy exists among the chiefs.

The possessions of the Berbère /Berber/ chief, as we have seen, are first of all the ones that he holds from his ancestors, poor little terraced fields bordered with stones near a mud house; from the time of his first exploits, the amghar has added to them the lands of his soff and leff enemies, which he seized by main strength; later, when he has been able to levy contributions, to overwhelm his subjects by ceaselessly renewed demands for money, he has become the acquirer of the best parts of the soil of the large valleys or of the Dir. But, having reached that degree of power, the great kaid considers himself the exclusive owner of the lands that he occupies; he often even respects the formalities of purchase and sale and grants some indemnities to the former masters of the country whom he has driven out; the cultivators are only his "khemmas," and we do not see them planting themselves on his domain while preserving hereditary rights. Only the slaves, bought from the merchants at Taroudant or Marrakech, people the villages in the vicinity of the fortress, and they work the lands without ever becoming serfs.

[567] Thus "tenures" do not exist in the Atlas, and the multiple
[566] and lasting relations that the land established among the various classes of feudal society in Europe are entirely lacking.

*631 As for the existence of a hierarchy among the amghars and the
*634 kaids, it will suffice for us to recall that the grades that we have
174 been led to distinguish between them depend solely on their power
171 and the importance of the small states that they have conquered; masters of a canton, tribe, confederation, their rank /361/ is thus determined by the social structure of the country, which is itself

/361 cont./

*631 fixed by the nature of the republican institutions of the mountains.
 *634 In these circumstances, one would hardly imagine that ties of
 174 vassalage could appear among the chiefs, and much less that
 171 feudal tribunals where the accused would be judged before his
 peers would be constituted.

It is possible to point still further to the differences that separate our Middle Ages from the regime of the great kaids by referring, no longer to the negative characteristics of the barbarism of the Haut-Atlas /High Atlas/, but to the aspects that are peculiar to it. One of them has already been indicated often in these pages. The elevation of the amghars to the rank of great kaids marks successively, as we have seen, the domination of one soff over the others, that of one leff over the adverse leff, of one tribe over the tribes and the confederations of the vicinity; in his progressive accession to fortune the Berbère /Berber/ chief carries along his companions from his village, leff, tribe, according to one and another of the different situations depending on origin and services rendered; doubtless that is the most original feature of the organization of personal power in this country, the one which would be sought in vain in Western feudality, born, on the contrary, on a soil that had formerly known the domination of Rome, where the tribes had disappeared to make way for the cities.

*631 It is no less important to call attention to another peculiarity
 *634 of this domination of the amghars, which is related to the characteristic of violence of their power at its origins; none of them,
 578 chief of canton, of tribe, or of region, succeeded in winning it
 726 before having defeated, and often killed, a rival with a strength
 175 almost equal to his and whose possessions he confiscated. Thus
 the kaids of the Mtougga met as adversaries, about 1850, the
 amghars of the Ida Ou Merzoug; the amghar Mohammed of Tag-
 ontaft had as an enemy the amghar Achefar of Tagemout; the
 family of the kaids of the Glawa at the height of their power had
 to defeat the minor amghar of Taghennoust about 1860; later these
 amghars, who had become tribal chiefs, met the amghar 'Ali of
 Tamedakht, who limited their expansion toward the south

*631 /361 cont./

*634 until the Krupp cannon permitted opening a breach in the walls
598 of his casbah. We have seen in the same way that Si 'Omar
726 Seksawi would not have triumphed in his little domain except by
175 having the kaid Chtitlihi assassinated and by constructing in the
middle of his lands, on the site /362/ of the razed villages, a
command fortress.

*631 These features suffice to show us how the power of the
*634 amghars and of the kaid of the Atlas is distinguished from that
174 of the feudal lords of the West. The resemblances, when they
•171 exist, hardly concern anything but the life of the chief himself;
the institutions that in our Middle Ages bind the lord to his king
or subjects are almost entirely lacking here.

If, nevertheless, the political state of the south of Morocco, which is only a rough outline of our feudality, had to be compared with that of Europe before the formation of the great States, and more complete analogies sought, it is doubtless with the Ireland, the Scotland, and the Germany of the upper Middle Ages, perhaps with Corsica, Sardinia, Albania up to the modern period, that it would be necessary to try to multiply the comparisons. The primitive institutions of tribes, the alliances of families and cantons, the oligarchic constitutions of the small republics existed there for a long time on the confines of the Roman Empire, as in our day in Berbérie /Barbary/: chiefs were born there, whose authority was very weak originally, who could not grow without fighting against the assemblies. Comparisons that it is not appropriate for us to make between these various regions could perhaps show that primitive societies separated across time and space are nevertheless, in the course of their transformations, guided by the same principles, and that laws stronger than men, most often unknown to them, lead their acts into the same paths.

*631 XVII. Fragility of the power of the great chiefs. -- Let us not be surprised that the Berbère /Berber/ chief whose family, thanks to favorable circumstances, has succeeded so rapidly in dominating all the tribes that the eyes can embrace from a summit of the Atlas is, in spite of his apparent strength, threatened by redoubtable perils.

/378 cont./

/footnote 1 continued/ the Ida Ou Nifi a day's march away in the mountains.

Compare Trenga, "Les Branès," Archives berbères, Vol. I, Part 4, p. 318.

Another manner of dividing the tribes, still more artificial, consists of grouping the different hearths by groups of ten in order to constitute what was called a "makhzen kanoun," a tax unit that was to furnish contributions in kind upon the passage of the harkas (2).

2. At the Touat, among the Chauwya of Morocco, the unit is the "diffa," so named because it designates a group of inhabitants charged with furnishing a "diffa" to the army of the Makhzen /makhzan/ when it passes through the country (A. C. P. Martin, Quatre siècles d'histoire marocaine /Four Centuries of Moroccan History/, pp. 32, 60, 115, 437). We have found in the high valleys of the Nefis the "aserdoun" -- mule -- because the annual contribution of this unit was a mule offered to the sultan or to the kaid.

While in the poorly subjugated regions the new divisions established by the Makhzen /makhzan/ are still confounded with the social units of former times and consequently have been capable of reconstituting their council of Aït Arba'in in times of "siba," the parts most directly affected by the political transformation no longer have anything but "khoms" without an assembly, "mia" or "toulout" without political personality. We have told how under these conditions the only natural unit that still existed was the simple "jema'a" of a village or of a group of hamlets grouped around its mosque and continuing to apply obstinately the customary petty rules of agricultural life, sanctioned by

000 /393/

Conclusion

The Political Evolution of Sedentary
Berbérie /Barbary/

- I. The Berbère /Berber/ republics. -- II. The large commands of the Atlas. -- III. The Berbère /Berber/ kingdoms of North Africa. -- IV. Fragility of the power of the temporal leaders. -- V. The maraboutic States; their relative stability. -- VI. Consequences of the tribes' submission to the Makhzen. -- VII. The political future of Berbérie /Barbary/.

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171 I. The Berbère /Berber/ republics. -- In the various regions of sedentary Berbérie /Barbary/, as we have seen in the course of this long study, the same social institutions rule the Masmouda, sequestered in the depths of the remote valleys of the Deren, the inhabitants of the market towns and hamlets that rise on the parched plateaus of the Anti-Atlas, the Jbala and the Riffians in their harsh mountains with peaks crowned with cedars, as well as the Kabyles of Algeria whose villages occupy the summits of the Djurjura like eagles' nests.

In all these regions, separated from one another by immense spaces, men live while obeying the same laws in spite of their diversity of origin and notwithstanding the variety of the conditions of material existence. That they have kept their millenary traditions they owe to the isolation of their territories. The present-day evidence of their institutions has a historic value; they give us the picture of what the Maghreb might have been if the Arab invasions in the East and the formation of the great Empires in the West had not ruined the minuscule states in which the Berbères /Berbers/ like to conceal their activity.

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[642] Two primordial tendencies determine the political life of the Berbères /Berbers/: in the first place they feel repugnance toward the constitution of a state of some size, they spontaneously organize themselves everywhere into small units whose dimensions do not exceed those of a mere /394/ canton and which are the veritable fatherland for the sedentary peoples; in the second place, by a kind of instinctive genius, the Berbères /Berbers/ form systems of balanced alliances that permit the small autonomous

/394 cont./

121 mountain states to aid one another in war and peace. Sometimes
 171 these associations, to which the name of *leffs* is often given, are
 *634 linked with the memory of the great struggles of the upper Middle
 571 Ages between the autochthons and the invaders; sometimes they
 appear to us as venerable institutions whose origin is no longer
 known and which are closely bound up with the conditions of ma-
 terial existence and local traditions.

121 The political regime to which the *Berbères /Berbers/* remain
 171 attached with the most firmness, when they are living in inde-
 *634 pendence, is thus a kind of organized anarchy; all the large
 642 families apply themselves then to maintaining, within the bound-
 aries of a canton, a rigorous equality among them; it is under
 these circumstances that constitutions originate, democratic in
 appearance, oligarchic in fact, which have the purpose of regu-
 lating among all the notables the equitable sharing of the profits
 of power and of distributing among all the inhabitants the burdens
 of the common life. The Anti-Atlas, the Rif, the western Jbel,
 Kabylie /Kabylia/ before the conquest hardly knew, it seems,
 any other institutions in the course of history; the Haut-Atlas /High
 Atlas/ itself, which has seen such surprising political transforma-
 tions for two generations, was still found in the middle of the past
 century divided into small republics similar to those of the
 Djurjura at the time of its independence.

121 When the tribes preserve their traditional political organiza-
 171 tion, one barely sees arise, under identical aspects in these di-
 619 verse regions of sedentary *Berbérie /Barbary/*, a precarious per-
 *634 sonal power limited to the narrow frontiers of one tribal fraction
 578 in the cadre of one valley. The petty tyrannies that then form
 are so fragile that the chiefs, emerging from the struggle of the
 sofs within villages, barely masters of a minuscule territory, are
 most often carried off without return by a change in the equilib-
 rium of the parties in the interval of one or two generations.

121 One region alone forms an exception to this extreme in-
 171 stability of the power of the *amghars*, who are usually only the
 *631 ephemeral masters of the little mountain cantons. The Sous at
 *634 the end of the nineteenth century, and more particularly the part

/394 cont./

121 of the Atlas contained between the col of the Glawa and the Tizi
• 171 Ma'cho, actually offers us /395/ the spectacle of the simultane-
* 631 ous appearance of a large number of minor chiefs who manage
* 634 exceptionally well to consolidate their authority and to banish for
[178] a time the tradition of egalitarian republics. Soon, however, a
complete evolution takes shape before our eyes: in the course of
the last 20 years, one could observe all the forms of transition be-
tween the humble amghars, masters of a few villages sequestered
under the walnut trees in the depths of the gorges of the Atlas,
and the great kaid, possessors of large tribes, who, from the
depths of their casbahs, govern the states that they have conquered
[648] by force. The latter moreover in their turn pave the way, by
ruining the ancient institutions by means of which they took
power, for the arrival of the Makhzen /makhzan/ and the estab-
lishment of a unified Mussulman Empire, whose laws seem to us
similar to those of the great Oriental monarchies.

In the course of the first part of our study on the Berbère
/Berber/ republics, and when we tried to become acquainted with
the circumstances under which the temporal power of the canton
amghars appears, we were able to multiply the comparisons
between the Sous, the Rif, and Kabylie /Kabylia/. But during
this short period that saw the rapid development of the authority
of the great chiefs in the Haut-Atlas /High Atlas/, it seemed to
us that we were in the presence of a political regime almost un-
known, at least in recent epochs, in the other regions of North
Africa populated by sedentary peoples.

121 Perhaps now, after having analyzed at length the conditions
128 under which the power of these "lords of the Atlas" is formed, we
* 631 may try, by casting our eyes farther, to put their domination side
by side with those of the Berbère /Berber/ kingdoms and Empires
whose sudden constitution the history of the Maghreb sometimes
shows us; by comparing successive phases of their growth with that
of the principalities of the Sous, we shall then perceive the deep
causes of the strength and of the weakness of these astonishing
political constructions, looming up so rapidly from the obscurity
of tribal life and which disappear without having succeeded in dis-
turb- ing in any lasting fashion the immobility of the Maghreb.

Rif MX3

R /403 cont./

175 mountain communities relaxes for an instant; the circumstances
631 that then lead the French column of Colonel Corap at Targist to the
182 heart of the enemy country in a single jump cause the complete
648 ruin of the political edifice built up with so much energy by the
chief of the Beni Ouriaghel; the organized state whose plan he had
outlined with so much boldness /404/ was succeeded in two days
by an inert mass of tribes without strength.

Finally, the very circumstances of the moving capitulation of
‘Abd el Kerim abandoned by his subjects project a bright light on
the nature of the little state that he succeeded in creating in four
years of effort.

While the Beni Ouriaghel succumb or give way by the
number, in defending their villages, the companions of the Rif-
fian chief, who are the inhabitants of Ajdir, from whom he pro-
cured his ministers, flee with their wives into a mountain village;
‘Abd el Kerim himself, having taken refuge at Snada with a mara-
bout, overwhelmed by his defeat, understands the futility of any
resistance, and when he agrees to surrender by placing himself
under France's protection, the last wish that he formulates illus-
trates better than a long study the humble origin of the movement:
"We are," he says to our officers sent to lead him to submit,
"simple agriculturalists. Our desire is to be authorized to live to-
gether from our work on a piece of land of the Makhzen." If it
had been possible in other, less troubled times to grant the wish of
the conquered one, the "Sultan of the Rif" would have been seen
with all his Makhzen -- the sons of the Ait Arba^{cin} of Ajdir --
leading in some distant country, with resignation and without too
much surprise, the obscure existence of a Berbère /Berber/ hamlet
of plowmen.

IV. Fragility of the power of the temporal leaders. -- From
the tenth century to our day, the great political laws of the life of
the Maghreb have therefore not changed. Whether it is a matter
of the Empire of the Fatimides /Fatimids/ or of the ephemeral
kingdom of ‘Abd el Kerim, of the chiefs of the Atlas of the four-
teenth century or of those of our time, the ambitious men who

/404 cont./

121 want to succeed in dominating and subduing the tribes are in-
 171 spired by the same principles in a social milieu remaining like it-
 *631 self. The constitution of a small solid core, resistant, blindly de-
 554 voted to the leader, linked with his interests, remains in all cir-
 182 cumstances the necessary condition for success. Even when great
 religious thoughts or a kind of national feeling manage to come
 to light in the fractioned mass of Berbère /Berber/ republics, the
 prophet or conqueror must have the positive balance that the
 strength of a clan or of a tribe represents, in order to break down
 particular resistances and to orient the efforts of all the small com-
 munities toward the single end that he is proposing for their ac-
 tivity. /405/ The existence of this central group of brothers and
 faithful ones moreover enables us to understand the irresistible
 power that the Berbère /Berber/ enterprises of conquest can attain
 when an internal force assembles in that way and directs the
 martial energy of the montagnards. But it explains to us at the
 same time the fragility of these amazing political constructions,
 capable of returning to nothingness as easily as they come out of
 it.

121 In fact, the great chiefs of today were yesterday men of a
 171 canton and of a tribe; they keep intact in the depths of their mem-
 *631 ory, as do all the companions from their village associated with
 554 the work of conquest, the recollection of internal hatreds and ancient
 182 vengeance, which make up the life of their small fatherland.
 598 Each difficulty of their enterprises, however, will be marked by
 the awakening of those hostile forces that they dominated for a
 time, in the very vicinity of the modest hamlet from which they
 came, and they will often have to intervene with implacable
 tenacity in order to annihilate them, under the penalty of being
 swept away by the return of their enemies, whom fortune seems
 to favor anew.

*[634] Even when the Berbère /Berber/ amghar would succeed, by a
 [616] prodigy of political spirit, in maintaining the union among his
 canton or tribal brothers and in moderating the hostility of the leffs
 and soffs in the bosom of which he grew, he would not, however,
 be able to find in his previous experience the example of

/405 cont./

121 institutions and laws suitable for directing him in governing his
 171 new state. All his cleverness has been exercised up to then in
 *63 the narrow cadre of a village assembly; it is not in these repub-
 554 lics, where a concern for ensuring equilibrium among the ambi-
 182 tions of the greedy and stubborn "infla" too often takes the place
 578 of a feeling for the public interest, that the leader can get les-
 616 sons in disinterestedness and wisdom.

*634 Consequently let us not be surprised that this Berbère /Berber/
 121 state is ignorant of the laws of the city, that it has no capital
 171 other than a fortress in the heart of a warlike tribe. The leff
 *631 spirit, the taste for pillage and booty here take the place of an
 182 ideal of justice and a feeling of faithfulness. It is not in this coun-
 try that one can see growing, as in our Western feudality, that
 powerful hierarchical organization whose base is the family, the
 king the keystone, and which, like a vast cathedral, is capable of
 surviving for long centuries, even when the forces that caused it to
 rise have disappeared.

121 /406/ In Berbérie /Barbary/, antagonism is too marked and
 171 hate too deep between the chief surrounded by his brothers and
 *631 companions, on the one hand, and the heavily taxed subjects on
 182 the other; the burden of the domination of this tyrannical master
 578 very quickly becomes intolerable. Also, just as the walls of the
 house of the lord of the Atlas crack when they are scarcely out of
 the ground, so does his power, as soon as it is founded, soon give
 signs of approaching ruin. The great chief's father was a victori-
 ous amghar who conquered the tribe; he himself knows how to pre-
 serve or extend the domains received as inheritance; but there will
 come his son, who will be incapable of triumphing over both
 family quarrels ceaselessly multiplied or "siba" ceaselessly rising
 again; his grandson will hardly still be the master of a canton. In
 half a century the defeated ones of former times will have taken
 back their lands and the assemblies will have profited from the
 anarchy to restore the former law, forgotten for a time.

[648] When the Makhzen /makhzan/ intervenes in time to collect
 the political heritage of the Berbère /Berber/ chief before his
 descendants have allowed it to be dispersed, its government

/406 cont./

121 appears to be smitten by the same weaknesses. In vain do the
 171 prestige of divine right, the respect inspired by the holy legisla-
 *631 tion of the Koran, the co-operation of the force of the armies,
 182 the attraction of the Mussulman civilization unite to organize and
 578 pacify the Empire, The men on whom the sherifian authority can
 648 count have no experience other than that of an unlimited despot-
 ism or of an unbridled anarchy; they govern the people as the
 Berbère /Berber/ horseman rides his horse: exhausting its powers.

So the royal dynasties themselves are scarcely more lasting
 than those of the amghars; the city spirit reveals itself to be
 powerless to unite the provinces with their capitals. A crenel-
 ated rampart separates the towns from the tribes and marks the
 boundary between two irreconcilable and opposed social lives.
 If in the course of centuries the Sultan's conquests succeed in ex-
 tending ceaselessly farther the limit of his Empire, at the same
 time, by a kind of law of equilibrium, one sees the "siba" gradu-
 ally gain larger areas. This millenary struggle, which is the
 eternal drama of the political life of Berbérie /Barbary/ and in
 which the chiefs are worn out more quickly than the tribes, will
 come to an end in North Africa only through the advent of a new
 order brought about by the French conquest.

/407/ V. The maraboutic States; their relative stability. --

792 We could be reproached here for simplifying to excess the aspects
 795 of this opposition of chiefs and tribes if we left in shadow the ex-
 *631 istence of the maraboutic principalities, so flourishing in the Sous
 [175] several centuries ago and which have existed up to our day in the
 [178] mountains of the Rif and the heart of the central Atlas.

[128] In these pages devoted to the study of the institutions of our
 time, we did not think it necessary to study at length the charac-
 teristics of these religious states, because they have ceased to
 have any appreciable importance in the south of Morocco by
 reason of the progress realized in the course of the last centuries
 [648] by the authority of temporal leaders and the Sultan. At least we
 must tell how the presence of these fiefs, constituted by the
 masters of the zaouïas and brotherhoods, brings no element of

/407 cont./

792 conciliation into the struggle between the Berbères /Berbers/ and
 795 the Makhzen /makhzan/; most often it contributes only toward
 *631 maintaining the feelings of resistance of the independent republics
 648 up to the day when the Empire's power is great enough to throw
 back to the boundary of the desert oases these marabouts regarded
 by the sovereign as men too clever to assemble the forces of the
 montagnards.

792 Examples are not lacking, either in the course of history or in
 795 our time, of these small states in which the supreme authority be-
 *631 longs to respected personages, removed from the struggles of soifs
 554 and leffs, whose arbitrators they have become. These natural
 798 leaders moreover owe their temporal power to the holiness of their
 788 ancestors; and the venerated tombs of the latter, covered with
 green tiles, still attract before our eyes, at the time of the great
 annual fairs, thousands of visitors desirous of participating in the
 merits of their holiness.

175 We have seen in the history of the Sous the role played in the
 792 sixteenth and seventeenth centuries by the maraboutic principality
 795 of Sidi Yahya among the Haha and especially that of the "agellid"
 *631 Sidi 'Ali bou Dmeia, grandson of the great saint of the Atlas,
 Sidi Ahmed Ou Mousa. The members of that illustrious family
 tried, as we have said, up to the end of the last century, to revive
 this little kingdom of the Tazerwalt, which today has entered into
 a definitive decline (1).

1. Starting from the submission of its chief
 to the Sultan in 1886.

792 The country of the Jbala and of the Rif, before being unified
 795 by the rapid conquest of 'Abd el Kerim, then becoming subject to
 *631 Spain, has /408/ recently known the power of the sherif Raisouli,
 171 master of the tribes that surround the sacred summit of the Jbel
 'Alam; the sherif 'Abd er Rahman Derqawi, whose faithful servants
 were the Beni Zerwal, lived not far away at the same time; finally
 the Khemalcha marabouts had become the spiritual and temporal
 leaders of the Senhaja of Srair, and it is the support that they lent

792 /408 cont./

795 to the Riffian chief, from the first hours of the fight against Spain,
*631 that facilitated the rapid progress of his power.

191 In the Moyen-Atlas /Middle Atlas/ and the central Atlas,
since the destruction of the Zaouia of Dila by the first of the
Filalian Sultans, other marabouts have received the political and
religious heritage of those lords whose power had extended for a
time to the shores of the Atlantic. In imitation of them, they
utilized, among the populations remaining the wildest and most
bellicose of North Africa, the prestige that knowledge of religion
and magic gave them.

In our day no fewer than three of these maraboutic states exist
in that region: two of them belong to the old family of the
Ahansal, the third is led, at the moment that we are writing these
lines, by Sidi Mohammed ben Talbi, who has remained the fiercest
of our enemies; the latter also tries to utilize to his advantage
the prestige of a great deceased agitator: Sidi 'Ali Amhaouch,
both prophet and marabout, who proved to be the personal adversary
of the sultan Moulay el Hasan and the great chiefs of the
Zayan.

792 The internal policy of the religious lords is easily explained
795 if one thinks about the origin of their power. Their families,
*631 thanks to their real or alleged nobility, are screened from the
182 fratricidal fights, the vengeance, the violent quarrels of the leffs,
which so deeply disturb the life of the little mountain republics
and whose presence makes the beginning of an amghar's government
so difficult; besides, their role as arbitrator gives them a
freely accepted superiority, so that in the beginning they are almost
never obliged to impose tyrannical authority by force; the opposite
of the temporal chiefs, they preserve the oligarchic institutions
of the "inflas"; far from destroying the local constitutions, they
contribute toward maintaining them, and it is to their zaouias
that people come to ask for the solution of the most difficult problems,
which the customary law has not accurately foreseen. Finally /409/
and above all, since the voluntary tithes, the presents, and the
cōrvées that the tribes grant them enable the religious leaders
promptly to become masters of the best lands, they can

/409 cont./

792 submission of distant /410/ tribes. Thus, the weak sultan Moulay
795 Sliman seems to have tried at the beginning of the last century to
*631 obtain among the Jbala and in the central Atlas the support of the
648 brotherhood of the Derqawa; in Moulay el Hasan's reign, the shorfa
•171 and the marabouts of the western Rif are the intermediaries be-
tween the Senhaja of Srair and the Makhzen /makhzan/; in the
same period in the Sous, Sidi Hosein of the Tazerwalt and Sidi el
Hasan of Timgilicht give the sovereign valuable advice for the de-
792 velopment of his policy. But most often the religious leaders
795 know they will lose all authority in their country by joining their
*631 efforts to those of the Makhzen, and that henceforth the tithes and
648 ziaras they live on will be paid more willingly into the hands of
rival marabouts who have known how to show themselves less ser-
vile; so for the most part the religious leaders prefer to join their
lot with that of the Berbère /Berber/ republics rather than with that
of the representatives of the Sultan.

178 Consequently, one could not be surprised that the progress of
792 the Makhzen /makhzan/ in the Sous is connected with the constant
795 retreat of the religious influences. We have told about the dis-
*631 placement toward the South of the large maraboutic centers be-
648 tween the fifteenth and eighteenth centuries: from the Regraga of
the Jbel Hadid, toward Afoughal, to the north of the Haha, then
from the Aft Daoud, among the Ida ou Bouzia; finally, at Illigh in
the Tazerwalt; in our day the zaouias no longer have any political
importance in the Haut-Atlas /High Atlas/, in the country of the
kaid of Tagontaft and of the Glawa; it is at the boundary of the
desert, at Timgilicht near the Oued Noun /Uad Nun/, at Wissaden
among the Souktana, at Tamegrout on the Dra, in a region where
the Sultan's name is no longer pronounced, that the holy personages
have taken refuge, the only ones able to keep the sedentary popu-
lations of the oases and the turbulent nomads of the Sahara peace-
ful.

178 Thus history as well as the study of the tribes who live before
792 our eyes in the various parts of Morocco lead us to regard the
795 natural association of the marabouts and the independent Berbères
*631 /Berbers/ as the sign of a still very incomplete state of evolution

/417 cont./

619 In the same manner, temporary emigration has for 20 years
167 taken a new spurt; but each Sous tribe sends its sons into a few
villages of its choice in the north of Morocco, so that one sees
them group themselves by corporate bodies and by quarters; in the
midst of foreigners they live by themselves, speak their dialect,
receive ceaselessly from travelers the most detailed news of the
events in their tribe, and continue to be connected by invisible
bonds to their small fatherland.

167 Finally, the distribution of the very colonies of Chleuhs
/Shluh/ of the Parisian suburbs or of the industrial cities of the
north and center of France appears to us like a distorted map of
the various social groups of the Sous; the tribes of Massat, of the
Ida Ou Baqil, of the Ammeln, of the Ida Ou Gnidif are thus
formed again in the garrets of Argenteuil, Puteaux, and Saint-
Étienne, where life is organized by canons and by villages (1).

1. Justinard, Revue des Études islamiques,
1928, pp. 477-480.

671 Without doubt, this is the place to recall that in other regions
• 171 of Berbérie /Barbary/ surprising survivals attest with striking
178 clearness to the vitality of the customary law of the tribes. It is
known how the Kabyle "Kanoun," written down in French without
the knowledge of our administrators, still at present bring tradi-
tional sanctions to bear on offenses repressed by French laws;
these clandestine regulations continue to regulate the existence
of villages of the Djurjura by adapting, not without some merit,
to the political, economic, and moral transformations of our
time (2).

2. Milliot, "Les nouveaux qanoun kabyles
/The New Kabyle Qanoun/," Hespéris,
1926, 4th quarter.

IV. TRADITIONAL RURAL SOCIAL STRUCTURE

(P. 44)

Structurally, the Berber and Arabic-speaking core-areas of rural Morocco hold many features in common. Both areas are characterized by tribal units; both have kinship groupings defined by common descent in the male line; both have a patriarchy, and residence of a married couple with the husband's family; both customarily reside in villages if they are sedentary, or in nomadic camps if they engage in the care of flocks and herds. Both regions profess the same religion, and have similar religious institutions, associations, and beliefs. The outstanding differences between the Berbers and the Arabic-speaking peoples reside in those social institutions having a political nature, and in the legal systems. In these there is an almost continuous gradation from the independent and decentralized Berber republics, through semi-Arabized and Arabized-Berber tribes, to the Bedouin *guich* tribes who were formerly completely involved in supporting an absolute and highly centralized government.

The traditional independence of the Berbers of the *Bled es Siba*, and the social pattern associated with it, survived until very recently, for the last independent tribes accepted government authority only in 1935. Berber independence in legal matters still continues, for, although the *dahir Berbere* (the French decree of 1930 giving Berber customary law equal status with Moslem law) was repealed in 1956, customary law still continues to determine legal process. In other matters the ancient trend towards Arabization continues and has been slightly accelerated, with groups demonstrating every degree of transition from their traditional pattern to that of the Arabic-speakers of the plains.

TABLE II

Basic Units of Social Traditional Organization Among the Berber-speakers of Morocco

Social Units	Berber Ethnic Groups			
	Shluh	Berber	Riffian	Zenata
Nuclear Family	<i>Taka, takat, kanoun</i> ("hearth")	<i>kanoun</i> ("hearth")	<i>nubth</i> ("turn")	
Patrilineal Extended Family	<i>tigemmi, adouar</i>	<i>adham</i> ("bone"), <i>rif</i> ("edge")	<i>azwar</i> ("vein" or "penis"), <i>sajghu</i> , <i>jj</i>	<i>tighssat</i>
Minor Lineage (constituting either a village or a village segment)	<i>ikhs</i> ("bone"), <i>afus</i> ("hand")	<i>asoun, tigemmi</i> or <i>adouar</i> , <i>tighst</i>	<i>ikhs</i> ("bone"), <i>tarfiqth</i>	<i>ikhs</i> ("bone")
Major Lineage or Commune (usually constituted of both related and unrelated lineages)	<i>mouda</i> ("village, place")	<i>ikhs</i> ("bone"), <i>fakhda</i>	<i>arriba</i> ("fourth"), <i>farliqath</i>	<i>lferqa</i>
District	<i>taqbilt</i> ("district") <i>khums</i> ("fifth")	<i>khums</i> ("fifth")	<i>rebaa</i> ("fourth"), <i>khums</i> <i>thakhammash</i> } ("fifth")	<i>rebaa</i> ("fourth")
Tribe	<i>taqbilt</i>	<i>taqbilt</i> , <i>qabila</i>	<i>zakoir</i> , <i>thakabitch</i> , <i>qabila</i>	<i>taqbilt</i>
Confederation	(no name)	(no name)	(no name)	<i>idrasen</i>

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the levirate than a matter of personal choice, for most Wuryāghlis are monogamous through economic necessity; the only cases of polygynous marriages which I know of personally are generally speaking, those of important tribal functionaries: *jaris*, *muqaddams*, *shaikhs*, *qā'ids* and *qadis*...

The size and power of the *thārfiqh* is augmented by landless strangers who have emigrated from their own villages or tribes or fled from them because of some crime they have committed. These strangers contract work as *ikhammāsen* for the *jājghā* heads, and in time they may marry the latters' daughters. In this case the incipient *jājghā* which is formed when children are born is matronymic, taking the name of its mother rather than of its father because of his lack of prestige; rules of residence are then matrilocal, by the same token. Although a *jājghā* of this type could take no part in the governmental activities of the village in which it was located, it had to assume as full responsibilities as the other native *ijājgha* in time of war. As many of the new *ijājgha* considered this an unfair arrangement, they often broke away from the parent *thārfiqh* to found the nuclei of new *thārfiqin* of their own...

In the Wuryāghli sense of being a "whole family", the internal solidarity of the *thārfiqh* is greatly strengthened not only by the kin ties of the native members, but by the fictional relationship of the stranger accretions as well. Thus, while the individual *ijājgha* of a *thārfiqh* may be small in number of personnel, the *thārfiqh* of a whole can usually supply some fifty men of age to fast during Ramaḡān, therefore being capable of bearing arms in addition. It was the *thārfiqh* and not the *jājghā* which functioned as the unit of vengeance, as the unity of the whole family was an absolute necessity for its continued existence... (Hart, 1954, pp. 60-62).

- 613
• [71] Among the Shluh the minor lineage is of equal importance, and many of the features described for the Rillians also hold true.
613
621 However, the complex and almost haphazard connection between a minor lineage and a village, or part of a village, is particularly prominent. An *ikhs* may constitute part of a hamlet or village, together with other such units; it may constitute an entire village by itself; or parts of it may be distributed through several villages, sharing these with other lineages. No set pattern apparently exists, and there is no close relationship between this pattern and the political or administrative units. This situation is reflected by great confusion in the sources - a confusion which can be best be avoided by carefully differentiating between units defined primarily by kinship (though also by geographical proximity in the higher levels), and

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

- lineage here does often seem to be based primarily upon descent and may be considered a major lineage. Furthermore, lineage structures intermediate between the minor and major lineages are indicated for the Beni Mtir (231-232) (the *tighst*, pl. *tighsat*) and for the Ait Ouallal tribe (475) of the Ait Atta (see Table III; and Abes, 1917, p. 189; Evans-Pritchard, 1940, pp. 192-205; Spillman, 1936, p. 47).

613 d. *Commune or Major Lineage*

- 621 The minor lineages of the Berbers, as has been indicated above, come together to form a larger group which may be designated as [192] a "commune". Among the Shluh this unit is commonly termed a *mouda* ("locality"), or sometimes a *jema'a* (Doutté, 1905; Montagne, 1930, p. 151); the Beraber designate it as a *fakhda* ("division") or as an *ikhs* (pl., *ikhsan* or *ikhusas*) (Abes, 1917, p. 188; Quelreux, 1915, p. 22; Spillman, 1936, p. 44); the Riffians as *fariqath* or as *arrba* (pl., *roboa*, from the Arabic *rebaa*, "fourth") (Coon, 1931, p. 91; Hart, 1954, p. 66); and the Zenata as *lferqa* (from *el ferqa*, [114] "eighth") (Marcy, 1929, pp. 138-139). In the anthropological literature this unit has been designated as a "canton" (Coon, 1931; Hart, 1954), "sous-fraction" (Deverdun, 1942; Montagne, 1930; Querleux, 1915), "sous-groupes", or "grands *ikhs*" (Berque, 1955).

- In most cases the commune is not simply a lineage, for, although most of its component lineages may feel themselves to be related, • [171] others are not. Among the Riffians, for example,

... the *canton* [i.e., commune] is a group of *bones* [minor lineages] which may or may not be related in blood; it occupies a single geographical unit-area, such as a valley with its contiguous mountains up to their crests. Relationship between the *bones* composing a *canton* depends on whether or not the *bone* of oldest standing has split to form other groups, and whether or not immigrant *bones* have entered or been formed by the enlargement of *veins* [extended families] descended from strangers. In most *cantons* one finds both related and unrelated *bones*. Loyalty within the *canton* is seldom very strong, and in many if not most instances wars have been fought within *cantons*... (Coon, 1931, pp. 91-92).

This is essentially the same definition of a commune as given by Montagne (see p. 53, above) for the Shluh.

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

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C. FORMAL LOCAL INSTITUTIONS FOR SOCIAL
ACTION AND CONTROL

1. Berber Representative Councils

Formal traditional tribal controls among the Berbers – Shluh, Beraber, Riffian, and Zenata alike – are based upon a system of superimposed representative councils. Most commonly these are designated by the term *jemaa*, a slight Berberization from the Arabic *ejjemaa*. Other terms, however, are also in use: such are *ait arbain* ("sons of the forty") – employed throughout the High Atlas, Middle Atlas, and the Rif, usually with reference to the council of a tribe or independent district; *diwan* – used by some of the Shluh to refer to the council of the district; *inflas* (pl. of *anflous*, "notable") – used by the Shluh of the Sous region and the Anti-Atlas; and *ayarau* (pl. *iyarawen*) – used in the Rif to refer to the tribal council (Coon, 1931, p. 96; Loubignac, 1942, p. 280; Montagne, 1930, pp. 220-222).

a. Structure

In theory, the *jemaa* of the minor lineage or village (the smallest groups to have councils) among most Berber groups (the *ksour* inhabitants excepted) are composed of the heads of each family or tent within the minor lineage or village, each of these family heads having a voice in the deliberations. In practice only the most "notable" of these (usually one per extended family) actually participate in council activities – the status of "notable" (*ikhatar*, pl. *ikhataren* in *Tamazight*) being achieved entirely on the basis of personal character, age, courage in combat, religious piety, acquired authority, or wealth. The *jemaa* therefore traditionally has the character of a gerontocracy; in this they are supported by the general attitude that the elders are the *ait l'ak'oul*, that is, the people of experience and judgment, and they should guide and command the young. Young married men, heads of families, may attend the council, but must remain content to listen to and approve the words of their elders (Doutté, 1905; Loubignac, 1942, p. 280; Montagne, 1930, pp. 220-224).

Some exceptions exist to this general rule. Thus Coon (1930, pp. 96-98) found that among some of the Riffians the village council (or

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

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TRADITIONAL RURAL SOCIAL STRUCTURE

695 great *baraka* (religious power or blessing) – such as the Koran, the mosque itself, or a saintly shrine. In Berber customary law, however, the oath is employed not only for its supernatural consequences, but also as a legal device, that is, the oath is used in judicial proceedings as a means of establishing the guilt or innocence of a person accused of a crime, and may be taken either by the accuser or by the accused, or by certain other persons who, in addition to

- 695 the latter, swear to his innocence as conjurators. This procedure,
• 171 which is also found in Moroccan Moslem law, has been described by Westermarck (1926, Vol. 1, pp. 509-510):

In Fez, for example, if a person (A.) accuses another person (B.) of theft and the latter disputes the accuracy of the charge, A. says to B., "Come then with me to the governor". The governor asks A. if he can produce witnesses, and if he can do so, sends a soldier with him to hear the evidence. If more than two persons bear testimony to B.'s guilt he has to compensate A. for his loss and pay a fee to the soldier or is otherwise thrown into prison; but the witnesses do not appear before the governor, nor are they sworn in. If they simply testify that B. has stolen something from A. without stating the amount, the latter has to confirm his accusation on oath. Again, if A. declares that he cannot produce witnesses, the governor says to B., *Hälf lü*, or, *A'téh haqq lläh*. If B. obeys and swears to his innocence he is acquitted and has nothing to pay. On the other hand, if he refuses to swear, saying, *Qläbtsü älih*, "I turned it on him", the governor asks A. if he is willing to swear that B. is guilty. If he swears, B. has to pay or, if he does not pay, is put into prison; but it may be that A. has to swear twice, since B. may insist that A. shall not only swear to his guilt but also confirm by oath the amount he has stolen. If A. says that he cannot take the oath demanded of him because he did not see the commission of the theft but only heard of it, or that he strongly suspects B. of it, then B. has to swear or, if he refuses to do so, is compelled to pay or is thrown in prison...

695 Among the Berber tribes the number of conjurators varies according to the gravity of the alleged offense, and includes the accused person himself and male members of his kin, including young boys – this being a consequence of the concept of the collective responsibility of kindred and their duty of mutual assistance. Thus, among the Beni Sadden (64),

... the *imggilla* [conjurators], as they are called, are five in case of theft, and one of them, called *amnqqar*, is chosen by the accuser. The latter decides where and how the oaths are to be made, how many and who

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

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- Shooting at a man but missing him, Failure to attend weddings outside the commune,
- Collection of blood money, Speaking to women in market.

Tribal Council

- Adultery caught in the act, Wounding,
- Murder.

681 The nature of the crime also determines the fine imposed. All
[685] 'urfs on record are for the most part long lists of fines for infractions
[623] of various rules. If the crime is theft, the fine also varies according
[634] to the value of the object stolen. These fines are generally paid to
[635] the *jemaa* having jurisdiction over the case. Thus, in Nesrat the
[171] fine paid by the respondent of a division of the *ksar* to the *amghar n*
l'amt accrues to the members of the superior council (Johns Hopkins University, 1956, p. 232; La Chapelle, 1929, pp. 32-33).

682 This system of jurisprudence, while functioning satisfactorily in most cases, often broke down when the crime was homicide, either because the initial act caused such immediate reprisal and developed into a war so quickly that the councillors found themselves fighting on one side or another before they could call a meeting, or because the tribal council lacked the power to enforce its decision. This
692 situation was forestalled somewhat among some of the Shluh tribes through the institution of annual "rounds of justice".

••• ... Lorsque les cantons [districts] sont ainsi groupés de manière à constituer une véritable tribu, formée d'un certain nombre de petites unités autonomes, on procède souvent à des tournées de justice exécutées dans tout le territoire, au cours desquelles toutes les infractions commises pendant l'année sont examinées et punies. Toutes les forces de la tribu viennent alors prêter leur appui à chacun des cantons pour faciliter le règlement rapide des différends sans qu'il en résulte aucun danger pour la paix intérieure.

Cette coutume, naguère observée chez les Igezzoulen de l'Anti-Atlas occidental, est encore très vivante dans la confédération des Ida Ou Tanan, chez les Ait Ou'azzoun [545] et les Ifesfasen [544]. La tournée de justice est accomplie en suivant un cérémonial minutieusement observé. Chez les Ait Ou'azzoun, par exemple, tribu formée de quinze "afous" ou

2. *Alliances and Agencies for Negotiation and Arbitration.*

The traditional social units of Moroccan rural society, involving increasing segmentation as one moves from the confederation or the tribe to the extended family, do not easily lend themselves to the maintenance of peace and harmony. In the pre-Protectorate period rivalries between different blood groups, strong regionalism, and the attitude that insults to "honor" were best avenged by the vendetta, all tended to override the sense of unity derived from geographical proximity, the use of common markets, and brotherhood in Islam. This tendency was rendered all the more critical in the Berber areas by this ethnic group's traditional antipathy towards any form of centralized political authority. 619
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In the Berber areas these centrifugal forces were traditionally countered and controlled by an elaborate system of religiously inviolable alliances combined with an equally elaborate system of "checks and balances" and agencies for the negotiation, mediation, and arbitration of disputes. These compensating factors, although somewhat slow in operation and therefore often ineffective in preventing local social disturbance, did generally contain the dispute within a small area and thus limit its consequences. Similar institutions were also present in the Arabic-speaking areas of the *Bled el Makhzen*, although some suffered suppression at the hands of the central authority.

a. *Shame Compulsions and Covenants*

In the absence of a central authority with strong police powers, interpersonal and intergroup relationships and alliances in both pre-Protectorate Berber and Arabic-speaking society were rendered binding and inviolable through the use of religious shame compulsion ('*ar*) and covenant ('*ahd*'). In Morocco the word '*ar*' implies the transference of a conditional curse for the purpose of compelling somebody to grant a request, the power of the conditional curse deriving from the mysterious power inherent in the curse (which may sometimes be reinforced by the invocation of another supernatural power or object). Thus, if a person says to another, *Ha l-'ar alik*, "Here is '*ar*' upon you", it implies that if 626
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626 the latter does not grant the request some misfortune will befall
754 him on account of the conditional curse contained in the 'ar. The
171 'ahd or covenant differs from the 'ar in being established by bilateral
action - the two parties, by solemn oath, agreeing to carry out some
action or to suffer unforeseen retribution (Coon, 1931, pp. 163-164;
Westermarck, 1926, Vol. 1, pp. 479, 518-519, 564-569).

Although considered unlawful by Islamic orthodoxy, the 'ar is nevertheless very widely employed and generally respected in Morocco - although individuals existed even in the traditional society who took no notice of 'ar cast upon them. The 'ar and the 'ahd together constituted an extremely important mechanism not only for inhibiting or forcing individual action in cases of social disturbance, but also for establishing alliances and relationships which circumvented blood and territorial affiliations. These effects were accomplished through "alliances".

b. Alliances

609 Five general types of alliances existed, and still exist, in Morocco,
754 serving various purposes and acting on different levels (see Table V).
594 The simplest is that established unilaterally by some traveller for
171 the purpose of securing passage and protection in a foreign territory;
it may or may not involve the casting of 'ar. A traveller, entering
the territory of a foreign tribe may either request protection and
safe conduct from a native through an appeal to the tribal honor,
or he may cast 'ar upon the native for this purpose by either giving
a sacrifice or, more commonly, paying money. The native may or
may not grant the first request, but the second allows him no choice.
He is duty-bound to see the traveller conducted through the coun-
try, either by escorting him personally or by sending a son or friend;
[192] furthermore, he is bound to avenge any injury to the traveller. Such
protection is termed *mezrag* (literally "spear") by the Arabic-
speakers of the plains, and *tazettat* by the Shluh and Zenata; the
Beraber refer to it as *amur* if it involves a mere request, and as
tazettat if 'ar is cast. Thus, a traveller coming to a village in which
he has no friends or acquaintances places himself in the 'ar of the
villagers by the phrase, "I am the guest of God", or by, "We are
the guests of God and your guests." He is then given board and

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
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lodging either at the village mosque or at private homes. Generally speaking, every guest in Morocco is considered to be in the 'ar of his host (Berque, 1955, p. 460; Bruno and Bousquet, 1946, pp. 357-362; Marcy, 1929, pp. 140-141; Westermarck, 1926, Vol. 1, pp. 535-539).

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TABLE V

Alliance Systems or Relationships Established by Shame Compulsion or Covenant (See Text for Sources)

Relationship	Group				
	Arabic-Speakers	Shluh	Berber	Jebala-Riffian	Zenata
Alliance for Safe Passage	<i>mezrag</i>	<i>tazettat</i>	<i>amur</i> <i>tazettat</i>	¹	<i>tazettat</i>
Alliance for Securing a Patron for Aid and Protection	<i>zettata</i>	(<i>tigarsi</i> -?)	<i>tazettat</i>	(<i>leff</i> -?)	<i>amur</i>
Brotherhood Between Persons and Families		<i>ameqqon</i>	<i>tagmat</i>		<i>taimat</i>
Brotherhood Between Extended Groups		<i>ameqqon</i> (<i>tada</i>)	<i>tada</i>		<i>tada</i>
Brotherhood Between Politically Autonomous Groups for Purposes of Defense	<i>leff</i>	<i>ameqqon</i>	<i>tafergant</i>	<i>leff</i>	<i>leff</i>

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¹ Relationship structure present but name not given.

Shame compulsion may also be employed by an individual, or a group of individuals, to gain refuge and protection, aid, mediation, or pardon through the help of a patron or mediator, as well as to prevent blood-feud or force the acceptance of blood-money. These diverse applications all fall within the scope of that alliance system known by the Arabic-speakers as *zettata*, by the Beraber as *tazettat*, and by the Beni Ouarain (241-267) of the Zenata as *amur* (see Table V). Through it, an individual fleeing from enemies or from

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571 which would exist if they were collateral kinsmen. Such a relation-
563 ship, established by a covenant, may have a military purpose, a
number of families within a village forming alliances for mutual
defense or to increase their strength for purposes of vengeance. If
[621] such a military alliance is formed in response to an act perpetrated
within the village, it is usually countered by a second, so that the
entire village becomes divided into two rival divisions, known as
sof in Arabic and as *ameqqon* in Tashilhait. Such a polarization of
the village is not an inevitable consequence of the use of the alliance
mechanism, however, for the alliance may also have as its purpose
such peaceful goals as the sharing of irrigated farmland or pasture-
land (Bruno and Bousquet, 1946, pp. 364-365; Marcy, 1929, p. 141;
Montagne, 1931, p. 196; Westermarck, 1926, Vol. 1, pp. 564-565).

The concept of the alliance of individuals and families through a
bond of brotherhood is extended further to the concept of the al-
628 liance by brotherhood of larger groups. Two general cases occur;
571 *tada* alliances and *leff* alliances. Of these, *tada* alliances are the least
inclusive, generally being established by covenant between two
divisions or even two tribes already linked by some form of ethnic

628 tie. Although *tada* alliances are not unknown among the Shluh (see
571 for example, Westermarck, 1926, Vol. 1, p. 526), they are most

- 171 frequent among the transhumants, here having vitally important
economic functions. As with the *tajmat*, or *tagmat*, the symbolism
of the *tada* alliance emphasizes the establishment of ties of brother-
hood between the two groups; this is clearly expressed among the
Beni Ouarain (241-267), where the two groups exchange containers
of milk, the contents of which are then poured on the ground be-
tween to symbolize the nourishment of both groups by the milk of
a common mother, such symbolism is also occasionally resorted to
in the casting of 'ar on the *amur* type alliance (type 2, Table V),
when a fugitive touches a woman, pretends to suck her breast, sits
down in front of her, or turns her handmill - for he thus becomes,
as it were, her son. Among the Ait Atta (465-491) this symbolic
act is reserved for the ceremony of *afergant*, a *tada* alliance being
established instead by a ceremony of covenanting involving the
exchange of slippers or cloaks (Bruno and Bousquet, 1946, pp.
365-368; Deverdun, 1942, p. 314. Marcy, 1929, p. 142; Spillmann,

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1936, pp. 50-51; Westermarck, 1926, Vol. 1, pp. 564-567). 628

Among the transhumants *tagma* and *tada* alliances are employed 571
first and foremost to control and regularize occupancy of pasture- 171
lands - a function particularly important in those regions, such as
the Middle Atlas, where each area, upon becoming vacated by the
departure of one group, is immediately reoccupied by one coming
up from the rear. In such a situation, the existence of the alliance
enables the councils of the allied groups to designate lands of
common pasturage, in which members of the two groups may graze
their sheep successively or together. Only under such circumstances
does grazing take place freely and without molestation. In fact,
good relations between two groups occupying the same territory
inconceivable without the existence of a *tada* alliance, for this
alliance not only opens the way for common use of the land, but
also prohibits theft, adultery, or other injury (Bruno and Bousquet,
1946, pp. 366-368).

Leff alliances differ from *tada* alliances in involving many more 571
groups and covering much larger areas; furthermore they charac- 628
teristically involve the alignment of politically independent districts 616
or tribes into two balanced and opposed units known as *leff* (pl. 634
lfuf) in Arabic, as *ameqqon* (pl. *imeqqon*) in Tashilhait, and as 635
tafergant in Tamazight. These units characteristically form a
checkerboard or mosaic structure which may cut boldly across both
tribal and confederation boundaries, allying, for example, districts
of one tribe with districts in another and putting them into opposi-
tion with districts within their own tribe (see Fig. 7); they thus
present a pattern in which each district or tribe is usually bordered
by some of the same and some of the opposite *leff* unit. In areas
where the *leff* structure was still strong in the pre-Protectorate
period, such as among the Shluh and Beraber, and in the western
Jebala, the *leff* units seem to have functioned primarily to provide
mutual assistance in defensive war. Among the Shluh and the [171]
Riffians the units were characteristically permanent - dividing the
population into traditional moieties; among the Beraber realign-
ments were more common; among the Arabic-speakers the *leff*
structures were characteristically unstable, and also demonstrated
disintegration resulting from the natural antagonism of the *Makh-*

zen to such a competitive political system (Adams, 1953, p. 33; Coon, 1931, pp. 105-108; Deverdun, 1942, pp. 306-307; Doutté, 1905; Montagne, 1930, pp. 182-216; Murdock, 1956, pp. 142-143; Spillmann, 1936, pp. 49-52; see also Berque, 1955, pp. 424-439, for a critique of the *leff* theory).

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Just as the *tada* alliance between extended groups represents an extension of the *tagmat* or "brotherhood" alliance between individuals and families, so the *leff* alliance represents a still further extension of fictional brotherhood between extended groups. This is clearly illustrated among the Ait Atta (465-491), where the pact of *tafergant* ("interdiction"), renewed annually, is marked by a "ceremony of milk" symbolizing the fiction of a common mother, and involves a prohibition upon the men to marry, or even to "look" upon, the women of the opposite group. Among the Shluh the *leff* alliance is renewed or revitalized annually by great festivals and "rounds of hospitality" (*tinoubga*), in which the ties of brotherhood between the *leff* members are reemphasized, and in the course of which many private associations, family alliances, and marriages are also contracted (Berque, 1955, pp. 425-426; Montagne, 1930, pp. 187-191; Spillmann, 1936, pp. 50-51).

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Among the Shluh of the High Atlas and Anti-Atlas the political importance of the *leff* units was very great in pre-Protectorate times, the balance of power between the two divisions usually acting as a strong restraint against aggressive action. If a Shluh district was, in fact, attacked by another, the defenders despatched messengers to the border of their *leff* allies to fire gunshot signals, a few hours after which the forces of the victimized *leff* began to pour across the border to give battle to the aggressor. In such a case the *leff* allies of the aggressor generally did not also intervene, but if they did, as frequently happened in the Tiznit area, the outcome was a general war throughout the area of the *leff* structure (Montagne, 1930, pp. 187, 202-203).

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c. Intervention

Although but a single *leff* structure existed in northern Morocco during the early 20th century, the importance of this system varied greatly within this region, being strongest in the western Jebala and

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- 616 in the area around the mouth of the Moulouya, and weakest in the
- 171 central Rif. In the area of the Beni Uriaguel (99), in fact, the *leff* structure was already at this time of only historical interest and expressed itself only as a mild antipathy towards the opposing group. The primary function of the *leff* as it is known in the southern areas, that of defense against aggressors, is here handled by simple intervention – a point completely missed by Murdock (1956, p. 143) in his discussion of Rifian *luf*. The interveners assume this role largely on the basis of their proximity to the area of disturbance, without regard to their *leff* affiliation (as can be seen by comparing Coon's list of interveners with the *leff* structure as given by Montagne and shown in fig. 7); their motivation to take such action springing as much from a desire to secure a share of the fine imposed upon the errant group as from a desire to restrict the conflict and maintain the peace.

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... If a lively internal war has broken out in the tibe as a result of the refusal to pay a fine imposed by the tribal council, or through a series of reciprocal murders and resultant alliances, made before the tribal council could intervene, the surrounding tribes call together their tribal councils which go to the territory of the warring tribe and meet as a great council of tribes in the middle of it, in a village or in the open country. They summon the tribal council of the warring tribe to answer for its action. If the tribal council comes, the assembled tribal council (the great council of tribes) assess a fine of from two to three thousand dollars, which they divide, giving each tribe with five *fifths* [districts] five parts, and each tribe with only one *fifth* one part. Then the subdivisions within the *fifths* and single tribes take place [sic] and the councillors go home.

If, however, the tribal council of the fighting tribe refuses to come and pay a fine, the tribe patches up its differences quickly and presents an united front against the invaders. In this case the councillors of the other tribes send home for retainers, each *fifth* separately, specifying the number of men to come from each *fifth*, from each *canton* [commune], and from each *bone* [minor lineage]. The old men, retired councillors, select the warriors and their judgment is final. The reinforcements come as soon as possible and there ensues a war between the erstwhile internally warring tribe and those which have come to punish it. If the alliance wins, it does so by defeating *canton* after *canton*, imposing a fine upon each when it submits; the fine levied on the first *canton* is about five thousand dollars, and the amount increases until the last *canton* has to pay about fifteen thousand dollars. As each *canton* submits it must join the victors in fighting the rest of its own tribe, in return for which it receives